OFFICIAL REPORT

OF THE

DEBATES

OF THE

HOUSE OF COMMONS

OF THE

DOMINION OF CANADA

FIRST SESSION—TENTH PARLIAMENT

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COMPRISING THE PERIOD FROM THE TWENTY-THIRD DAY OF JUNE TO THE TWENTIETH DAY OF JULY, INCLUSIVE



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ERRATA

VOL. V.

Col. 8145, 4th line from bottom, heading should read : 'North Atlantic Trading Company.'

Col. 8146, 2nd line, 'Cable,' should read 'Trading.'

House of Commons Debates

FIRST SESSION—TENTH PARLIAMENT

HOUSE OF COMMONS.

FRIDAY, June 23, 1905.

The SPEAKER took the Chair at Three o'clock.

BUSINESS OF THE HOUSE.

Mr. R. G. MACPHERSON moved :

That the following Bills from the Senate be placed upon the order paper amongst Private Bills for the second reading this day :

Bill (No. 177) respecting certain patents of D. T. Owens.

Bill (No. 178) respecting the Canada Central Railway Company.

Bill (No. 129) respecting the Brandon, Saskatchewan and Hudson Bay Railway Company.

Bill (No. 182) respecting the Sterling Bank of Canada.

Bill (No. 183) respecting a certain patent of the Metal Volatilization Company.

Bill (No. 185) for the relief of Isaac Pitblado.

Mr. T. S. SPROULE. In regard to that motion, it is a departure from what is the usual procedure of the House. I could understand that there might be a necessity for it if the session were about at an end, but with the budget speech not yet made it seems to me that there ought to be plenty of time to deal with these Bills in the usual way. I am not going to object to it, but if we start upon some irregular course it is afterwards referred to as a precedent and quoted as a justification for continuing an irregular course.

Mr. SPEAKER. If there is any objection to the motion, these Bills will have to stand and take the usual course.

Motion withdrawn.

REPORT PRESENTED.

Report of the Clerk of the Crown in Chancery on the Tenth General Election.—Rt. Hon. Sir Wilfrid Laurier.

NEW MEMBER.

Mr. SPEAKER. I have the honour to inform the House that I have received from the Clerk of the Crown in Chancery the certificate of the election and return of the Hon. Chas. S. Hyman for the electoral district of London, Ontario.

APPOINTMENTS TO CIVIL SERVICE SINCE 1896.

On the Orders of the Day being called,

Mr. T. S. SPROULE. I would like to inquire about the motion which was passed on the 13th March asking for a return of the number of permanent appointments made to the civil service since 1896. I have no word of it yet, and it seems to me that it is something that could be made out very easily in a week or ten days if there were any desire to hurry it up. It seems that the delay is needlessly long.

JUDICIAL VACANCIES, PROMOTIONS AND APPOINTMENTS.

Mr. R. L. BORDEN. I would like to ask my hon. friend the Minister of Justice (Mr. Fitzpatrick) if it is convenient for him to give the information as to which I inquired in regard to the vacancies on the judicial bench in the different provinces. The reason why I ask the question to-day is that some correspondence has been placed in my hands in regard to one of these vacancies, and I would like to discuss the subject at some early date.

Hon. CHAS. FITZPATRICK (Minister of Justice). Mr. Speaker, I have had prepared, in answer to the suggestion of my hon. and learned friend (Mr. R. L. Borden), a memorandum showing the vacancies in the courts of the different provinces, and also the vacancy in the Supreme Court, as follows :

Supreme Court of Canada.

Mr. Justice Killam, resigned, 6th February, 1905 ; Mr. Justice Idington, promoted, 10th February, 1905.

Ontario.

Chancery Division, Supreme Court of Judicature.—Mr. Justice Ferguson, died, 31st May, 1904 ; Mr. Justice Magee, appointed, 25th June, 1904.

Exchequer Division.—Mr. Justice Idington, removed to Supreme Court of Canada, 10th February, 1905 ; Mr. Justice Clute, appointed, 10th February, 1905 ; Chief Justiceship established by 3 Edward VII, chapter 27 ; no appointment made yet.

Quebec.

Court of King's Bench.—Mr. Justice Wurtele, died, 24th April, 1904; Mr. Justice Trenholme, appointed, 4th May, 1904.

Superior Court.—Chief Justice Casault, pensioned, 30th September, 1904; Chief Justice Routhier, appointed 30th September, 1904; Mr. Justice Routhier, promoted, 30th September, 1904; Mr. Justice Pelletier, appointed, 30th September, 1904; Mr. Justice Trenholme, promoted, 4th May, 1904; Mr. Justice Dunlop, appointed, 5th May, 1904; Mr. Justice White, retired, 16th November, 1904; Mr. Justice Hutchinson, appointed, 16th November, 1904; Mr. Justice Choquette, appointed Senator, 30th September, 1904; Mr. Justice Malouin, appointed, 7th January, 1905; Mr. Justice Desmarais, died, 18th May, 1904; Mr. Justice Cooke, appointed, 16th November, 1904.

Nova Scotia.

Chief Justice Macdonald, pensioned, 19th August, 1904; Mr. Justice Weatherbe, appointed, 13th January, 1905; Mr. Justice Henry, pensioned, 10th February, 1904; Mr. Justice Fraser, appointed, 10th February, 1904; Mr. Justice Weatherbe, promoted, 13th January, 1905; Mr. Justice Longley, appointed, June, 1905; Mr. Justice Ritchie, died, 5th June, 1905; Mr. Justice Russell, appointed, 30th October, 1904.

Manitoba.

Mr. Justice Bain, died, 12th May, 1905; no appointment yet.

British Columbia.

Mr. Justice Drake, pensioned, 14th August, 1904; Mr. Justice Morrison, appointed, 28th September, 1905.

HALF-BREED SCRIP—APPOINTMENT OF JUDGE MEYERS TO INVESTIGATE.

Hon. GEO. E. FOSTER. I want to ask about that Order in Council appointing Judge Meyers to make some investigation into the scrip matter.

Sir WILFRID LAURIER. I think I can bring it down on Monday.

HALF-BREED SCRIP.

Mr. FOSTER. I ask the Minister of the Interior if I may shortly expect another instalment of the final issue of the scrip papers; also if he knows whether any patents on account of this scrip are now issuing from his department, or have issued since the return was brought down which showed that three scrips had been located on land in the Northwest. I understood from my hon. friend that orders had been issued not to locate any more.

Mr. OLIVER. Orders have been issued that no more locations were to be accepted or patents issued until the investigation of the department had been held. I will be able to lay the instructions on the table on Monday.

Mr. FOSTER. And the balance of the papers?

Mr. OLIVER. I cannot promise the balance, but I will promise a further instalment.

INQUIRY FOR RETURN

Mr. FOSTER. I would like to call the attention of the Minister of Railways to the fact that I have not received any supplementary return to that Gamebridge inspector's return, that the minister was going to look into it. Are there any more?

Mr. EMMERSON. I asked the deputy to have a second search made and he informed me that there were no letters; if there had been they are certainly not filed with the department.

PROVINCIAL GOVERNMENT IN THE NORTHWEST TERRITORIES.

House in committee on Bill (No. 69) to establish and provide for the government of the province of Alberta.—Sir Wilfrid Laurier.

On section 12, distribution of seats.

Mr. R. L. BORDEN. I gave a copy last evening to the Prime Minister of a further amendment which I propose to move. For the present I will not speak upon it as my hon. friend from St. Antoine (Mr. Ames) who is leaving this afternoon desires to make some observations. The amendment is as follows:

That section 12 be struck out and the following substituted therefor:

12. (1) Until the said legislature otherwise provides the legislative assembly shall be composed of twenty-five members to be elected to represent the electoral divisions hereinafter defined.

(2). The expression 'federal electoral district' where used in this section means an electoral district as established by and under the provisions of 3 Edward VII., chapter 60.

(3) (a) The federal electoral district of Alberta shall be divided into five electoral divisions, each of which shall return one member.

(b) That portion of the federal electoral district of Calgary comprised within the limits of the province of Alberta shall be divided into six electoral divisions, each of which shall return one member.

(c) That portion of the federal electoral district of Strathcona comprised within the limits of the province of Alberta shall be divided into six electoral divisions, each of which shall return one member.

(d) That portion of the federal electoral district of Edmonton comprised within the limits of the province of Alberta shall be divided into six electoral divisions, each of which shall return one member.

(e) That portion of the provisional district of Assiniboia included within the limits of the province of Alberta and not included in any of the federal electoral districts above mentioned shall return one member.

(f) That portion of the unorganized territory of Athabaska which lies west of the 4th meridian shall return one member.

(4) Where under the foregoing provisions any federal electoral district is to be divided into more than one provincial electoral division such division shall be made by a board of commissioners consisting of at least three persons resident in the said province and being judges of the Supreme Court of the Northwest Territories, who shall for that purpose be appointed by letters patent under the great seal immediately after the coming into force of this Act, and who shall divide each of such federal electoral districts into the number of electoral divisions in this Act assigned to it.

The letters patent appointing the commissioners shall require the commissioners, in making the divisions, to have due regard to the distribution of population, the public convenience, the existing local divisions and such other considerations as appear to them best calculated to do substantial justice.

In case of the death or resignation or refusal of any one or more of such commissioners to act, a successor or successors shall in like manner be appointed ; and in the event of there being no resident judge or judges available any judge or judges of the said Supreme Court may be appointed such successor or successors.

Within a time to be limited by the said letters patent the commissioners shall complete such divisions and report the same to the Lieutenant Governor of the said province, setting forth in such report the boundaries of the electoral divisions to which such report refers, and the ranges, townships and sections comprised therein, and shall assign an appropriate designation to each electoral division. Upon receipt by the Lieutenant Governor of the said province of the report of the commissioners completing the divisions aforesaid, the respective territories described as constituting the respective electoral divisions into which the said federal electoral districts shall have been divided as aforesaid, shall become and be electoral divisions of the said province as if the same had been so set apart and established as such by this Act.

The commissioners shall also within the said time limited forward a duplicate of their said report to the Secretary of State.

The said report and the said duplicate thereof shall be signed by the commissioners, or in case of a disagreement, by a majority of them, and the report of the majority of the commissioners shall be the report of the commissioners.

The said report shall be published in the 'Canada Gazette,' and in the official gazette of the said province forthwith after the receipt thereof.

The commissioners may frame rules and orders for regulating the conduct of their proceedings and generally for carrying into effect the provisions thereof.

The letters patent appointing said commissioners shall confer upon them the power of summoning witnesses before them and of requiring such witnesses to give evidence on oath, oral or in writing, or on solemn affirmation (if they are persons entitled to affirm in civil matters) and to produce such documents and things as the commissioners may deem requisite to the full investigation of the matters into which they are appointed to inquire, and the commissioners shall have the same power and authority to enforce the attendance of witnesses and to compel them to give evidence as is vested in the Supreme Court of the Northwest Territories in civil cases.

Mr. AMES. I desire very briefly to lay before the House the reason we have thought it desirable to offer to the government the suggestions that are contained in this amendment. We think these suggestions are very fair, and I place them before the government in the hope that the government may accept them. Since I spoke on Tuesday night the figures have been handed down on both sides. We have each made our independent calculations and a comparison between these calculations is now rendered possible. It is in consequence easy for us to arrive at what may be the basis of our calculation. If the First Minister will be good enough to follow me for just a moment I think I can make clear the purpose of this amendment. The calculations that were made by the government as to the number of votes polled on the 3rd of November last for the eleven constituencies south of Red Deer, gives 10,566 votes polled ; the calculations which the opposition made from the same sources of information but by independent action, gives the number of votes polled in these eleven southern constituencies as 10,701. The discrepancy between the two is but 135 votes; the government gives 135 less votes in these southern constituencies than the opposition make out—regarding Red Deer as neutral and therefore omitted. In this calculation at least both sides are practically in agreement. As to the eleven northern constituencies, the government figures give 9,553 votes and the opposition figures give 9,259. The government figures give 294 to the north in excess of what the figures give. We are prepared to accept the government figures in the case of Red Deer, namely 843 as the number of votes polled in that constituency. The total number of votes polled in the twenty-three constituencies according to the government figures is 20,962, while the total number polled according to the opposition figures is 20,663, a difference of about 300. Probably both calculations are slightly in error, because it has been an exceedingly difficult task to take out the electors range by range and section by section and put them on the proper side of the line. We may agree I think upon admitting in a general way that the eleven southern constituencies polled 10,600 votes and the eleven northern constituencies 9,400 or 20,000 in all with Red Deer omitted. That is the mean between the estimate of the government and the estimate of the opposition, and it is so near to either of these that it is practically safe for calculation.

Mr. R. L. BORDEN. You are speaking of the votes polled?

Mr. AMES. Yes. There were then 20,000 votes polled in twenty-two costituencies which would give a quota of 900, which quota I think will be accepted by both sides of the House. As to the eleven southern constituencies the figures given by the government and the figures given by the opposition are almost agreed. The southern constituencies cast 10,600 votes and they should therefore be entitled not to eleven representatives but to twelve representatives. The eleven northern constituencies cast 9,400 votes and they should not be entitled to eleven representatives but only to a little over ten. There is one representative too few in the southern constituencies on the basis of the number of votes polled; the south instead of having eleven should have twelve representatives.

Now let us take the names on the voters' lists. In the southern constituencies, according to the government estimate there were 15,895 and according to the estimate of the opposition there were 15,567. Here, the government admit 328 more names on the list than the opposition claim. In the northern constituencies the government's estimate of names on the lists is 12,863 and the estimate of the opposition is 13,345, Red Deer omitted. Here again the opposition have accorded to the eleven northern constituencies 482 more names than the government claim, so that our estimate in this respect is more favourable to the contention of the government than is their own estimate. If in the first place it was legitimate that we should divide the error between the two, it is legitimate we should divide the error again in the second place, and consequently we strike a mean between the calculation of the opposition and the calculation of the government, although we would prefer to argue it out on the government figures as being far more favourable to us. The government give a total number of names upon the voters lists as 29,950. It will be noticed that the opposition make it 30,104, a difference of 154. We may then agree that 30,000 or fifty more than the government make it and 100 less than the opposition make it, is about fair. We shall say that there are 30,000 names upon the lists. If you take the 15,700 that are found in the eleven southern constituencies and the 13,100 in the eleven northern constituencies, and if you add 1,200 in Red Deer it would give you a total of 30,000. Now 30,000 divided by twenty-three will give you the quota for twenty-three constituencies at 1,300. Both sides are prepared to accept that as fair.

Now, divide the 15,700 names on the list in the 11 southern constituencies by 1,300, and you will find that they are entitled to 12 representatives and a little more instead of 11; and divide the 13,100 names on the list in the 11 northern constituencies, and you will find that they are entitled to 10 representatives and 100 votes over. So that by taking the names on the list we see that the 11 southern constituencies have one member too few, and the 11 northern constituencies have one too many, that is, leaving aside for the time being Peace River and Athabaska. No attempt has been made to refute the estimate of population made by the Medicine Hat 'Times' from information obtained from a great many reliable sources. By that estimate 97,263 people live below Red Deer and 70,021 live above, and there are 5,569 people in Red Deer, making a total of 172,853. If you establish your mean at 7,470, you will find that the 11 southern constituencies are entitled to nearly 13 representatives and the 11 northern constituencies to less than 10. Therefore, if you strike a mean of calculation between the figures of the government and the figures of the opposition, it will probably be more nearly correct than the figures of either side. You find that the 11 southern constituencies, by all these three tests, should have 12 representatives; it has therefore at least one representative too few. On the other hand, if you take the 7 constituencies north of the north Saskatchewan river, and examine them on the government figures, you will find that that is where the over-representation lies. According to those figures, there are in those 7 constituencies 6,502 names on the list, allowing to Peace River and Athabaska 600 names, and that there were 5,085 votes cast, allowing to Peace River and Athabaska, 450. So that you have for each of these seven constituencies an average of 930 names on the list and 726 votes cast. Now, we have already seen that 1,300 is the average number of names on the list and 900 the average number of votes cast; so that it is evident that the portion of country that is over-represented is the portion north of the North Saskatchewan river. Now, if it be demonstrated beyond peradventure that the southern section is at least one member under-represented and the northern section at least one member over-represented, it should be easy to transfer one member from the north to the south, and thus put an end to this interminable discussion, and satisfy all sides. Before I sit down, I wish to point out that you are not justified, according to our contention, in giving two members to Athabaska. We have never in the course of this debate urged that Athabaska should be unrepresented. We have never asked that a single man in that country should be deprived of the privilege to vote. All we have asked is that a certain amount of equality should prevail. We claim that two representatives for Athabaska are altogether too much. We are willing to admit that it should have one representative, and we think one is quite sufficient. Let me show you why and how we think one is sufficient. In the delimitation the government schedule provides for the constituency of St. Albert, which is 90 miles wide by 250 miles long.

The government are satisfied with that constituency ; they consider that one representative can look after it. Extend northward for 90 miles the boundary line between St. Albert and Sturgeon to a point, and from that point draw a line at right angles westward to the limit of the constituency, and you form in Athabaska another constituency exactly the same size as St. Albert. I want to demonstrate that it is possible to constitute in that southwestern corner of Athabaska a constituency exactly the same size as St. Albert, which will contain practically all the population, all the interests and all the wealth that exist in that country at the present time. I would be glad to send over to the hon. minister a map which will show him exactly what we propose. A little while ago there was a return brought down to this House stating that there was only one monthly post office service in that country, and giving all the points at which it touched. If you follow that route, you will find that it leaves Athabaska Landing, goes to the Lesser Slave lake settlement, then to Peace River Landing, Spirit river and Dunvegan, and that the entire route falls within the area I have described. Moreover, it is the only section of the country where there are any mail routes and any transportation. The Peace River valley will lie entirely within that constituency. Further than that, the line of the Grand Trunk Pacific will lie entirely within it. There is practically nothing outside of that area. Consequently, my contention is simply this, that if you create north of the old Alberta line a constituency of the same size as St. Albert, you can include therein everything worth including in the southwestern part of the present territory of Athabaska. What would be left if you did that ? There would be nothing left except a few scattered people, not sufficiently numerous to be organized. The right hon. Prime Minister the other day, when I referred as a precedent to the addition of Ashnanipi to the county of Saguenay, stated that there were no people there. According to the last census, Ashnanipi in 1901 had 161 whites. According to the same census all Athabaska had only 243 whites, and yet we are only dealing with the half of Athabaska. The probability is that it contains no more whites than Ashnanipi. Yet there has never been a question of organizing Ashnanipi, and nobody has felt that there was any grievance in consequence. My contention is that you can carve out one constituency in southwestern Athabaska that will serve the whole purpose and give representation to all the interests concerned. Now, the amendment is a very simple matter. It takes the tract of land which it is proposed to constitute into the province of Alberta ; it finds that it contains the Dominion districts of Alberta, Calgary, Strathcona and Edmonton, plus Medicine Hat, and a section of Athabaska. You will see by the map that the old constituency of Alberta does not reach the 4th meridian ; it is a trifle smaller than the others. If we add Medicine Hat, however, it is more populous than the Edmonton constituencies. On this calculation, according to the government figures, Alberta and Medicine Hat together have 6,736 names on the list, Calgary, 7,951 ; Strathcona, 8,786, and Edmonton, 6,744. You will find that this will practically even up the representation as between the north and the south. Again, if you take the number of votes cast, you will find that Alberta and Medicine Hat together had 4,632, Calgary, 5,577 ; Strathcona, 5,923 and Edmonton, 5,105. This would give one more constituency in the south than we are contending for, and it would leave one constituency in the extreme north which is ample for all the interests that are affected. This plan would fall in very readily with the well known and recognized divisions in that section of the country. Everybody has grown familiar with the boundaries of Alberta, Calgary, Strathcona and Edmonton. Moreover, the government in doing their business with the people, recognize these four places, because the Lethbridge Land Agency looks after the province of Alberta, the Medicine Hat and Calgary agency looks after the Calgary constituency, and the Red Deer agency looks after the Strathcona constituency, and the Edmonton agency looks after the constituency of Edmonton. The boundaries of the land agencies are exactly the same as the parliamentary divisions to which the people are accustomed, and they will naturally fall in line with the suggested number of representatives in each of these four divisions, and then we would have them delimitated by means of an impartial commission. That is our proposition. We care not as a matter of fact who does the delimiting, but we think that a commission could do it better than any one else. The principle we are fighting for is the establishment of a just number of representatives for each of the recognized sections of the country.

Sir WILFRID LAURIER. I think the House is familiar with the figures and the arguments which the hon. member for Montreal (Mr. Ames) has just repeated, though I do not blame him for repeating them again. But I do not think that his figures have anything to do with the contention he has advanced to-day. The object of my hon. friend has been to show that there are more people in the 11 constituencies south of Red Deer than north of it. I do not dispute that fact, and I think I was the first to give the figures showing that according to the votes registered at the last election, there are more people in the south than in the north. But I have already stated to the House that these figures were not the only figures we had in our mind. There were other sources of information which had also to be taken into

consideration, but which the hon. gentleman has ignored. He has not said a word about the population shown by the census of 1901, though that is one of the sources of information which we have placed before the House. Now, if it is true that the figures he has placed before the House show that there are more people in the south than in the north, it is equally true that according to the figures of the census of 1901 there are more people in the north than in the south. I have already placed these figures before the House. But I will do so again. The figures show that in 23 constituencies in the old district of Athabaska there were, in 1901, 69,441 people. Now, take off the constituency of Red Deer which, for the purpose of comparison, we have eliminated, and which has been eliminated by the hon. gentleman, this constituency containing 2,009 being eliminated, would leave 67,432. Dividing that population by 22 constituencies, and it gives you a little more than 3,000 for each one. If we apply that unit or average to the 11 constituencies north of Red Deer you have about 10 members, and if you apply the same process to the 11 constituencies south you would have something like 12 members. The population of the 11 constituencies north of Red Deer was 36,398, while the population of the 12 constituencies south was 31,000. Therefore, if you divide by the unit of 3,000 the 11 constituencies south of Red Deer that will give you about 10, and if you apply the same calculation to the 11 constituencies north of Red Deer that will give you more than 12. Therefore, if, on the other hand, his figures tell one story, on the other hand our figures tell another story. Therefore, it seems to me that under the circumstances we must come to the conclusion that there are more people in the north than in the south. The census shows that, the post office shows that, the school districts show that; therefore it seems to me the case is fairly made out. I do not think that even the argument of my hon. friend, if applied to the amendment of the leader of the opposition can have any bearing upon the discussion. The hon. gentleman has proposed a new method of disposing of the question. My opinion is that the best way we can dispose of it is to take the constituencies one by one and see whether they can be improved or not.

Mr. R. L. BORDEN. The right hon. gentleman seems to miss absolutely the main point of the remarks of my hon. friend from St. Antoine division, Montreal (Mr. Ames). There has been a disposition in dealing with the delimitation of those constituencies to regard what was formerly the unorganized district of Athabaska as separated in some way from the new province of Alberta. It is absolutely fallacious to look at the question from that standpoint. The unorganized territory is a part of the new province of Alberta, and in delimiting the ridings of that province it must be so regarded. We will start with that as a first proposition. What is the information before the House at present as to the population of that district? It is proposed by the measure which the government has introduced, by the schedules which they have brought down, to give two members to what was formerly that unorganized territory; one-twelfth of the representation of the whole province is by this measure assigned to what was formerly an unorganized district. So far as I am aware, it did not have any representation in parliament or in the legislature. One-twelfth of the whole representation of a province of 250,000 is to be given to what was formerly an unorganized territory, having upon an outside and undoubtedly an exaggerated estimate a population of only 5,000, and hitherto without representation either in the Dominion parliament or in the legislature of the Territories. Well, there must be some ground for that measure, we must find some substantial reason for it. This is a part of the new province of Alberta, and is entitled to just the same consideration, no less and no more, than any other portion of that province. Its people are as much entitled to representation, they are no more entitled and no less entitled than the people of any other part of the province of Alberta.

Now, the right hon. gentleman refers to the census of 1901. It is idle for him to refer to the census of 1901. If, for one moment, we assumed that Bill is to be framed on the basis of that census, it is perfectly plain that the people in the unorganized territory would not be entitled to two representatives, because there were then in that district only 1,710 whites and half-breeds together, or about 342 votes. Proceeding on the basis of the census of 1901, the right hon. gentleman (Sir Wilfrid Laurier) is absolutely out of court, so far as this unorganized territory is concerned. But we have not been going on the basis of the census of 1901. In every other portion of the Bill—in fixing the revenue, in fixing the per capita allowance, in everything outside of section 12—we proceed on other information than that of the census. The information brought down by the government, on which they proceed, was a statement made up showing the estimated population as in January last, and what it is expected to be on July 1st next. Therefore, we might as well dismiss the census of 1901, though, if we stood by that census, there would be absolutely no warrant whatever for assigning to the new territory the representation which is assigned to it by this Bill. The population of the province was 70,000, according to the census of 1901, and the population of the unorganized territory was 1,710. My right hon. friend (Sir Wilfrid Laurier) sees at once that there would not be a shadow of argument, on the basis of the census of

1901, for giving that unorganized territory even one representative.

Now, if we depart from the census of 1901 what have we ? We have two guides which have been invoked in this committee—one is the number of votes polled at the general election of November last, and the other the number of votes upon the lists prepared for that general election. For reasons which I stated in this committee, yesterday, and which I need not repeat now, it is obvious, I should suppose, to every hon. gentleman in this House that the list of electors, and not the number of votes, cast is the better guide as to the actual population. I should not think there could be any argument on the other side. So many considerations affect the proportion of votes cast, out of the total number of votes on the list, that it seems idle for any man to be put to the trouble of arguing that the list of voters is a better guide to population than the number of votes actually polled. But even this guide of the number of names on the list fails us so far as the unorganized district is concerned, for the reason that those who are supposed to live in this unorganized territory did not vote at the general election—no lists were made up and no polls were held. This is as I understand it. Now, what evidence or information have we before this committee which will be as reasonably sufficient for the unorganized portion of the territory, as the list of voters made up in November last is for the organized part? I stated yesterday, and I repeat it to-day, that we have no information sufficient for that purpose. Therefore, I argued yesterday, and I do not to-day depart in the slightest from the stand I then took, that it would be a proper thing, a reasonable and fair thing, for the government to leave the estimating of that population and the fixing of the representation to be accorded to the new territory to some tribunal which should have the power and duty of investigating that question and coming to a conclusion upon proper information. But let us go a step further and see what is the highest estimate which has been made by the Prime Minister or his Minister of the Interior as to the population of this unorganized territory. I asked that yesterday: I asked first, what was the estimate of the population of this unorganized territory to which one-twelfth of the whole representation of the province is to be given, and, second, upon what evidence which could be considered as such by this House is that estimate made. The highest estimate that I have heard was that made by the Minister of the Interior (Mr. Oliver), who said that it was believed that in this unorganized territory there is a population of about 5,000 souls. I do not believe that there is any information before the House, or in the possession of the Minister of the Interior, to justify us in accepting that conclusion. For my part, I do not accept it,—not casting any reflection upon the hon. gentleman, but simply for the reason that I do not think he has information that should reasonably lead him to that conclusion. But even if we accept that conclusion, where do we find ourselves ? Where does the right hon. Prime Minister (Sir Wilfrid Laurier) find himself? He proposes, in a population of 250,000 souls, to establish a legislature of 25 members. And he proposes to allot two of these members to a portion of territory hitherto unrepresented which at the very highest estimate, contains only 5,000 people. Does he realize what he does in this matter ? Can he for one moment suggest that there is anything fair, or reasonable, or even decent, in proceeding on that basis? Two hundred and fifty thousand people are supposed to be in this territory on July 1st next. According to the very highest estimate given by any hon. gentleman on the other side, only 5,000 will be in the unorganized territory. And to thse 5,000 one-fiftieth of the whole, he proposes to give one-twelfth of the whole representation of the province. And for what reason, pray ? Is it on account of expected further development ? Will the Prime Minister, the Minister of the Interior or any other hon. member for one moment say, that there is likely to be greater development in that unorganized territory, within the next three or four years, for which this delimitation will stand, than in the vicinity of Edmonton or Calgary, or in any of the organized districts of the province? It is idle to speculate about that. But if speculation must be indulged in, I, for one, believe that the development, the increase of population will proceed at a much more rapid rate in the organized portions of the territory in those portions that are easily accessible to railways, than in any portion that cannot have these advantages. Perhaps that has not struck my right hon. friend (Sir Wilfrid Laurier) in the way I put it. But when he realizes that 5,000 souls is the utmost claim—a claim made on absolutely insufficient and unsatisfactory evidence—as to the population of this unorganized territory, and when he realizes that the entire population of the province is supposed to be 250,000 people, can he with any pretense of justice, with any claim of right and fairness, give to the 245,000 people in the organized territories twenty three members and to the 5,000 people in the unorganized territory two members in the legislature?

It seems to me that any such suggestion will be recognized to the full by the right hon. gentleman as one to which he cannot commit himself, as one which his sense of justice will not accept, as one which he will be inclined to modify, and I venture to think that this suggestion which we have made is one which the right hon. gentleman ought to accept. My hon. friend from St. Antoine

has spoken the amendment which I have moved. Let us consider that amendment for a moment in one or two aspects; but before doing so let me remark that the Minister of the Interior yesterday was very free with a challenge to have the territorial legislature called and to accept their verdict as to what the delimitations should be. The hon. Minister of the Interior need not have asked for the calling of the legislature nor need he have professed his willingness to accept what they should say on the subject because this legislature only two years ago made a certain delimitation both of this province and of the adjoining province of Saskatchewan, and the only answer to the argument based upon that delimitation is the suggestion that the delimitation then made was absolutely unfair. As far as I have heard of any proceedings with regard thereto, claims of unfairness came particularly from a portion of the Territories which is not included in these unorganized districts, and could not be so included. They came from a portion of the riding which I think is to the south rather than to the north. If we are to go by the opinion and views of the legislature of the Northwest Territories, we have their latest pronouncement in a delimitation of those constituencies which is absolutely out of agreement with that proposed by the administration to-day. When we come down to the action of our own parliament in 1903, four constituencies were established which are practically in the new province of Alberta. I shall point out in a moment to what extent that is not correct. They are the electoral districts of Alberta, Calgary, Strathcona and Edmonton. The division then made was made with the assent of the members of the Northwest Territories representing the administration. It was one which they themselves proposed. It was submitted to the senators for the Territories, as I think there were no members from the Territories on the Conservative side. The senators from the Territories had some knowledge of local conditions and they regarded the division as fairly satisfactory on both sides. At all events the delimitation was proposed by the administration and its supporters, and we must assume they were fair divisions. I have not heard any evidence or statement that the conditions of development and progress of population have been materially different in any of these constituencies from what they are in the others. I shall assume until I hear evidence to the contrary that they are practically the same. I think the claim has been made by some of my hon. friends on this side of the House that the development has been rather greater in the southern than in the northern riding, but I am content to regard the progress as approximately the same. You have the electoral districts of Strathcona, Alberta, Calgary and Edmonton. You have besides included in the new province of Alberta a portion of the provisional district of Assiniboia. This is included within the province of Alberta although not within the electoral district of Alberta, and there seems to be substantial agreement on both sides of the House that this shall be entitled in the legislature to one member. Now if you give to that portion of the new province of Alberta one member—I am referring to what is called in the schedule the electoral division of Medicine Hat—and if you assign to that portion of Alberta which formed part of the unorganized district of Athabasca, you are certainly doing full justice to the supposed 5,000 people in the district. If you give to them one member surely you have discharged your full duty to them, for you have given them much greater representation that you are giving to the electors in the proposed electoral division of Medicine Hat; you are giving them their full rights according to the statement of the Minister of the Interior. If you adopted our distribution so far you would dispose of two of the twenty-five seats which are proposed. You have then twenty-three seats remaining. You have four federal electoral districts, which were established in 1903 by the consent and to the satisfaction of every person. Looking at those four ridings you find that in one of them—I will not go into the figures—the federal electoral district of Alberta, there is a smaller number of voters on the list and a smaller number of votes polled than in any of the others, a difference sufficiently great to be taken into consideration. You have twenty-three members to allot. Allot six of those to the electoral district of Calgary, six to Strathcona, six to Edmonton and five to the federal district of Alberta in the south, which as I have said before has a smaller electoral list and polls a smaller number of votes. It seems to me you would then be doing substantial justice even upon the statements of the Minister of the Interior and upon the Prime Minister himself to the unorganized territory in the north, and I believe upon the whole you would be doing probably substantial justice to all parts of the province. You would thus remove the sense of injustice which otherwise will prevail: I have no part in any controversy about the capitals. That, it seems to me, is a matter to be settled by the people themselves. I do not take into consideration any such interests, but I think as a member of this House I am justified and I am in duty bound to raise my voice against any such proposal as that submitted by the administration which will give to 5,000 people in an unorganized and undeveloped portion of a new province four times the voice in the new legislature which is possessed by the same number of inhabitants in any other part of the province. Take for example the city of Calgary or the city of Edmonton. I do not know what the popu-

lation of Calgary is supposed to be at the present time.

Mr. M. S. McCARTHY. 9,175 according to Waghorne Guide of February, 1905.

Mr. R. L. BORDEN. Roughly speaking 10,000 people.

Mr. M. S. McCARTHY. More than that now. You have the city of Calgary entitled to be represented by one member in the legislature and have at the outside estimate—an estimate that I do not believe to be correct, that I believe to be beyond the mark—a population of 5,000 in the north sending two representatives. Two thousand five hundred in the north send one representative to the legislature of the new province, and 10,000 people in the city of Calgary send one representative to the legislature of the new province. I am only using the city of Calgary for comparison. The same illustration would be true of Edmonton, Strathcona, High River and a great many constituencies which are delimited in this schedule and once more I ask my right hon. friend to take this view of the situation into his calm consideration and to say whether, having regard to the sense of justice which he must possess, he can deem it right to adopt a delimitation which brings about the results to which I have just referred.

Mr. OLIVER. Mr. Chairman, while I am afraid the House is not to be congratulated on the fact that the debate on this question is being continued——

Mr. R. L. BORDEN. If my hon. friend (Mr. Oliver) will pardon me I intended to move an amendment. I do not think I need read it. I have already handed a copy to 'Hansard' and handed a copy also to my right hon. friend the Prime Minister, so that I will content myself by handing it to the clerk.

Mr. OLIVER. While the House has rather to be sympathized with for having to listen to a continuation of this debate and to a repetition of statements and figures which are more or less open to discussion it is to be congratulated on the change of tone which has taken place since Tuesday last. I think the moderate presentation of the amendment which has been placed before the House is in very favourable contrast to the very immoderate presentation and support of the amendment placed before the House on Tuesday last. It will be observed that our friends who are opposing the distribution are climbing down at the rate of about one a day. When they proposed their amendment on Tuesday last they claimed an inequality of distribution as between 15 and 10, and now the inequality claimed by the amendment placed before the committee is an inequality of one. A climb down of four in four days debate, is not bad and we hope that the present day's debate will result in a climb down to the natural and proper level which is contained in the Bill. My hon. friend, the leader of the opposition, in reply to myself last night, rejected the instance that I had given of differences in the populations of different constituencies in the east on the ground that these differences arose or were occasioned by reason of limitations, not connected with population, such as county boundaries and other matters. I certainly agree that that is the case and I find no fault with it. It is a condition which prevails all over the Dominion, which has always prevailed and, I presume, must always prevail if the community of interests and the well being of the people are to be considered as well as their mere numbers in the distribution of constituencies. If there ever was a case in which the original delimitation equal to county boundaries should be considered it is this case in which we are including the western part of the district of Athabaska in the new province of Alberta. South of the line of Athabaska the new province has been under territorial organization for some twenty or twenty-five or possibly thirty years. It has been represented in this House for some 18 years. It has a complete system of provincial government, of organization, of everything that goes with provincial government and organization as far as local conditions are concerned. As has been said by my hon. friend, the leader of the opposition, the country north of that line has had no representative in either House. It has been an entirely unorganized territory. Judging by comparison with conditions in these eastern provinces, conditions where everybody admits must be submitted to and observed, except, I believe, the hon. member for Brantford (Mr. Cockshutt) who objects to them entirely, if ever there was a condition which should be observed in setting apart constituencies it is that condition when we are bringing into a new province, an hitherto unorganized district of greater area than the rest of the new province. Surely, that is a condition which is worthy of special consideration. Surely it relieves us from the necessity of making our distribution by forming a checkerboard and dropping it down upon the country. If ever there was a time when special conditions demanded special consideration it is at the time of the introduction of the district of Athabaska into the new province of Alberta. Is there a disparity of population? My hon friend, the leader of the opposition, does not accept the statement which I have placed before the House as the best information I could give at the time.

Mr. R. L. BORDEN. I said that I did not think there was sufficient information to justify the hon. minister in coming to that conclusion, but that I had no doubt he had come to that conclusion. I went on to say then that even if he accepted it there was

no justification for giving that district two members.

Mr. OLIVER. There is no dispute between the hon. gentleman and myself. I placed the statement before the House. It was the best I could present under the circumstances as to the population of the district and if the hon. gentleman will do me the honour to accept that statement, even for the purpose of argument he will find, taking the very extreme cases which he did take and which he is entitled to take as a matter of pleading before the House in regard to a case and comparing the estimated population of Athabaska with the estimated population of Calgary, that the representation will stand as four to one as between Athabaska and the city of Calgary. These are the two extreme cases. But, we find in the province of Quebec, not as between an urban and a rural constituency, but as between two urban constituencies, the constituencies of Quebec West and Maisonneuve, that the difference is as six and a half is to one. Now, I presume there were special reasons which governed in that case, because we were through a redistribution in this House not very long ago, and why, if six and a half electors in Maisonneuve are only equal to one in Quebec West, should it be such an outrage and such an unheard of thing that four electors in Calgary should be equal to one in Athabaska in voting power, especially when you consider that that one in Athabaska represents the interests of a territory half as large as all the rest of Alberta.

Mr. R. L. BORDEN. If you extended it up to the North Pole it would be ten times as large.

Mr. OLIVER. Surely, and if the responsibility for the administration of that territory up to the North Pole rested upon the provincial legislature, that fact would have to be taken into consideration in the distribution of seats, but it does not. The argument that is made on the other side of the House is based entirely upon the assumption that population is the only consideration. These gentlemen opposite may look to the history of parliamentary representation in Canada and in every province of Canada, and they will not find a case in which that priciple has been adhered to in fact.

Mr. HAGGART. What are taken into consideration?

Mr. OLIVER. Population is one thing and there are many others. But there is one universal principle and it is that a purely rural population, a population of producers creating wealth in the country is always given a greater share in the government of the country than an equal number of consumers.

Mr. HAGGART. That is so in no place.

Mr. OLIVER. In every place. On what other grounds are the cities of our country so unjustly treated by comparison of population in being under-represented compared with the rural constituencies ?

Mr. LAKE. If that be so, how is it that Prince Albert city is to be given one representative for 769 registered voters, and Souris a country district is to be given one member for 3,346 registered voters ?

Mr. OLIVER. I suppose that will have to be accounted for on much the same principle as hon. gentlemen opposite will have to account for the vast discrepancy between the division of Quebec West and the division of Maisonneuve. There are conditions with which I am not familiar there and elsewhere to account for that. I am not calling into question these conditions, I am stating that there is no departure from principle in establishing corresponding conditions to some extent in this new country.

Mr. HAGGART. Will the minister tell me where in Great Britain or any other colony except Canada, the rural population as a matter of principle is given larger representation than the urban population?

Mr. OLIVER. Last night I gave to the House instances of this, selected from the provinces of Ontario, Quebec, Nova Scotia and New Brunswick.

Mr. HAGGART. I excepted the Dominion of Canada from my question.

Mr. OLIVER. I am not familiar with the principle of representation in other countries. it is enough for me to know what has always been the rule in this country.

Mr. R. L. BORDEN. I would like to know where in Canada that principle has ever been applied to a city of the size of Calgary or Edmonton.

Mr. OLIVER. I am glad the hon. gentleman drew my attention to that, but I think we would get along in this debate very much more amicably if there were not so many interruptions, because these interruptions are apt to be met with rather short answers. My reply is that in every place in Canada the number of votes per constituency either for Dominion or provincial purposes is necessarily larger than it is in the Northwest under present conditions. Taking the proportion of votes in these cities to the total vote of the constituencies, the position is exactly the same under the peculiar circumstances of the west as it is in the rest of the Dominion under its circumstances. Let me ask my hon. friend if the case of Calgary is parallel to that of the city of Toronto. I will not say how fair my hon. friend (Mr. R. L. Borden) was in making that suggestion, but the difference between the population of Toronto and the population of the different

constituencies in the Northwest is a sufficient answer; there is no comparison. In the one case there is a centralized population, in the other case there is a rural population, and the rule does not depend upon the size of the place but upon the peculiar circumstances and upon the proportion of the total vote of the constituencies. The rule has always been applied throughout the provinces of the Dominion, and it is being applied in the Northwest now, and it would be improper if it were not so applied. As to the district of Athabaska, as to the votes in that district, as to the rights of pioneers to be over-represented if they are over-represented ; every man in an outlying locality in a new country counts not only for his individual self as does a man in a large city, but that pioneer is the centre of attraction, to trade and population and civilization and development, and it is upon the word of that man that the tendency of trade and population and civilization depends. If we are to have development in that district of Athabaska ; if we are to have roads built and the conveniences of civilization so that there may be greater development, upon whose word are we to depend but upon the word of the men scattered here and there over that territory. Is it going to be said that the men in these districts who are the pioneers of development, progress and advancement, are not to be represented because there are not so many of them as there are in other constituencies?

Mr. R. L. BORDEN. According to the premises of which you are proceeding, there are very few of these pioneers ; there were 5,000 of them, but only about 342 voters were there in 1901.

Mr. OLIVER. We will admit there are very few.

Mr. R. L. BORDEN. Very few pioneers.

Mr. OLIVER. I do not exactly catch the point, but I should say that in a territory as large as Athabaska, if there are 5,000 people scattered all over that territory they are all pioneers.

Mr. R. L. BORDEN. Then every one in the Northwest is a pioneer?

Mr. OLIVER. I do not think the residents of the cities of Edmonton or Calgary for instance could properly claim to be pioneers at the present day. Where people are living in the midst of all the advantages of civilization as are the people of the urban cities in the Northwest, with all due deference to the people of Regina, Prince Albert, Edmonton, Calgary or Moosejaw, I do not think that taking man for man, each individual in each of these cities is of as great value to the state, or that his advice towards the development of the country is as valuable as that of the man who by reason of his distant location is the centre of attraction for settlement and development. He is the point from which must necessarily radiate the information that is necessary to the well-being and advancement of the country. A pioneer, on every ground, is entitled to greater representation in the legislature than is a man of any other class, if we are looking to the development of our country, as I hope we all are.

My hon. friend from St. Antoine made the suggestion that if a part of the district of Athabaska as large as the district of St. Albert was set apart, that would cover practically all the population of the district of Athabaska. In the first place, that idea has no bearing on the question. The population of the electoral division of St. Albert is largely contained in one part of that electoral division ; but the population of the district of Athabaska is not contained in one particular part of it, but is scattered along the two great rivers. There are no conditions in the district of St. Albert parallel in any degree to those in the district of Athabaska. Therefore when my hon. friend asks us to make a similar district in Athabaska, he simply ignores all the facts and conditions which are essential to making a satisfactory distribution.

Mr. LALOR. In the minister's estimate of 5,000 inhabitants in Athabaska, what proportions are Indians, half-breeds and whites?

Mr. OLIVER. The Indian population of the district of Athabaska, according to the treaty—and I am credibly informed that it has not increased to any great degree since —was 735.

Mr. LALOR. When was that treaty made ?

Mr. OLIVER. In 1899 or 1900. In the district of Peace River the Indian population was 955. So that there are about 1,700 Indians in the two districts.

Mr. LALOR. Have you an estimate of the other portions of the population at the same time ?

Mr. OLIVER. No. I get the other portions of the population from the census of 1901.

Mr. R. L. BORDEN. The hon. gentleman's estimate of the Indian population is the same as we have obtained from the census in 1901 ?

Mr. OLIVER. Yes. The Indian population remains at about what it was ; that of the half-breeds has increased. My estimate of the total population in Athabaska is 5,000 whites and half-breeds, exclusive of Indians.

Mr. FOSTER. On what basis do you make that estimate ?

Mr. OLIVER. On information given to me by gentlemen from that country who are well informed in regard to it.

Mr. R. L. BORDEN. The Prime Minister said yesterday that he would be able to give us to-day the number of pupils attending the schools in this district.

Sir WILFRID LAURIER. On inquiry in the Department of the Interior, I am informed that the returns made to the Lieutenant Governor in regard to the schools of Athabaska are not sent to Ottawa, but a telegram has been sent to the Lieutenant Governor at Regina asking him to have an abstract of the returns sent here.

Mr. R. L. BORDEN. If it includes Indian schools, we would like to have a distinction made between the whites, the half-breeds and the Indians.

Mr. LALOR. According to the census of 1901 Athabaska has a population of 3,096 Roman Catholics, 264 Anglicans, 23 Presbyterians and 2 Methodists.

Mr. OLIVER. In regard to this question of Indians, it might be well to point out that the Indian population is included in the census in all parts of the country, and it may be of interest to our friends of the opposition to be informed that the Indian population of Alberta is not confined to either the district of Athabaska or the district of Edmonton. I asked from the Census Department a statement of the number of Indians in each of the electoral divisions of the country, and the figures are as follows: Medicine Hat, 107; Cardston, 1; Lethbridge, 7; Macleod, 1,738; Pincher, 2; Gleichen, 974; Calgary City, 4; Banff, 861; Innisfail, 6; Red Deer, 2; Vermilion, 57; Ponoka, 369; Wetaskiwin, 222; Leduc, 2; Strathcona, 2; Stony Plain, 520; Edmonton City, 28; Saskatchewan, 275; Sturgeon, 379; St. Albert, 201; Peace River, 955; and Athabaska, 735; a total of 7,447, of which 3,702 are south of that mysterious dividing line, township 38, and 3,745 north of it. There are just as many Indians in the southern country as there are in the north, including the district of Athabaska; so that perhaps we may get over our difficulties without discussing the Indian question any more. I want to draw attention to the rather peculiar position taken by the hon. leader of the opposition in his presentation of his case. He made the plea that because there was uncertainty in regard to the population of the district of Athabaska, therefore the delimitation of the constituencies should be left to a commission of judges; but he does not propose to leave the representation of Athabaska to any commission of judges. He proposes that this House shall define the representation of Athabaska. He only calls in his commission of judges later on and for other purposes. Now, it seems to me that if he is not going to refer to this commission of judges the representation of the district of Athabaska, about which we will admit that neither he nor I know very much——

Mr. OLIVER.

Mr. FOSTER. Is the hon. minister serious in what he is stating now?

Mr. OLIVER. Yes, quite serious.

Mr. FOSTER. If I am not interrupting too much, I might point out that yesterday and the day before we were discussing the appointment of a commission. The ground we took was that it would be fair to appoint a commission of judges and have them delimit the whole province. The House discussed that proposal and last night the government voted it down. A proposition was made to-day by the hon. gentleman from St. Antoine division, Montreal. You voted down the commission, you refused to grant it, you are stiff necked and obstinate, and will not do the thing that is right. If you will not do the thing that is right and refer the question to a commission of judges, perhaps you would take our proposition as to a delimitation and see if you cannot get somewhere near what is a fair, reasonable and just distribution. That is the way we argue, and I do not see any inconsistency in that. I am thoroughly consistent. If I want a commission of judges and try to get you to accept it, and you will not, then I say: If you won't do the whole thing that is right, will you do anything that is right? Here is a plan which I think would be more fair and just than yours; will you adopt that instead of yours? There is no inconsistency in that, I think. What does my hon. friend think about it?

Mr. OLIVER. I do not quite follow the hon. gentleman's argument. As I read the amendment of the leader of the opposition, he asks that this House declare that the district of Athabaska shall have one member in the provincial house, and he goes on in his amendment to say that certain delimitations in other parts of the province shall be made by a commission of judges. I say that if he is prepared to take the verdict of this House in regard to the district of Athabaska of which neither he nor I are very well informed, he will surely take the judgment of this House in regard to the delimitation of the rest of the province in regard to which he and we are very well informed. At any rate, his first contention that we should have a commission of judges because we do not know what the population of Athabaska is, and afterwards that we should not submit to the commission of judges the question of the representation of Athabaska, seem to me illogical and lacking consecutiveness.

Mr. R. L. BORDEN. It is obvious that the two amendments were not the same, if they were, I could not move them. I moved the second, as the member for North Toronto said, because the first was voted down.

Mr. OLIVER. I am not making a comparison between the two amendments, I am discussing the position taken by the

hon. gentleman himself and the effect of the amendment. Now, in regard to that part of his proposal that the present Dominion constituencies shall be taken as a definite basis for the subdivisions of the new province, I have only this to say, that the Dominion constituencies are delimited for purposes entirely different, having no connection near or remote with the purposes for which the local constituencies are delimited. While it might be a reasonable proposition to make the Dominion constituencies accord with those of the local, it is not a reasonable proposition to make the local constituencies necessarily correspond with those of the Dominion constituencies. The Dominion constituencies are delimited only for the purpose of electing members to this House, it makes little difference where the dividing lines are, as every one from the Northwest knows very well.

Mr. R. L. BORDEN. Why ?

Mr. OLIVER. Because the local government has to deal with matters closely affecting the people, such as the school districts, the statute labour organization, and particularly the building of roads. The roads above everything else are important as leading from settlements to centres of trade. There is the greatest community of interest between certain settlements and certain centres of trade, and it is highly necessary that that community of interest should be observed in the distribution of the local constituencies, otherwise grievous injury is done. That fact has always been recognized. I will make my meaning clear by giving a case that existed some years ago. A large part of the trade of Edmonton is done with Athabaska Landing, over a road 100 miles in length. The local district of St. Albert intervened between Edmonton and Athabaska Landing. Every interest of Edmonton and every interest of Athabaska Landing was in the up-keep of that road. the St. Albert electoral district being entirely agricultural, the different settlements in that district had no interest in keeping up that great road from Edmonton to Athabaska Landing. Now this became so great a hardship that at the redistribution made in 1892 the local government took cognizance of the fact, and cut and carved the different constituencies in a way that looked like a gerrymander on the map, but it was in reality conserving the interests of the respective peoples and trading points. Now what was the case there is the case all over the Northwest Territories, and it is for that reason we desire to be careful, in setting apart particular constituencies, that we throw together people who have a community of interest. Under the system that has been followed in the Northwest the local representative has the most to say in relation to road improvements, and it is possible, if you link together two centres of business which are in rivalry, to have the business withdrawn from one and given to the other by the improvement of roads leading to the one and away from the other. While this may seem to be a matter of detail and of small importance to hon. gentlemen who are not acquainted with the circumstances, it means everything to the people out there; and we cannot afford to have their interest disregarded in this very important matter merely for the purpose of gratifying a whim of hon. gentlemen opposite in favour of absolute equality in the population of the constituencies. We are desirous of equalizing that distribution as much as possible, but we are more desirous of giving the people that community of interest which will tend to their wellbeing.

Mr. R. L. BORDEN. Is there not the same general community of interest recognized in the federal divisions of 1903?

Mr. OLIVER. Merely the community of contiguity, there was no other to be recognized. This Dominion has nothing to do with local matters which so intimately concern the people.

Mr. LAKE. The hon. gentleman forgets that the Dominion government is retaining control of the lands; surely that is a business that closely concerns every individual in that country.

Mr. OLIVER. Surely. But that has nothing to do with the business relation between town and country, between settlement and settlement. That is the business of the local government. Let me diverge from the line for a moment to say that in the province of Ontario, and possibly, in the eastern provinces generally, these matters are dealt with by municipal organizations ; but in the Northwest they are dealt with by the local government. Hence the great importance of the division being made along these lines. Hon. gentlemen opposite will not take the last census as the basis for distribution in the old part of the province of Alberta, but,—except the leader of the opposition (Mr. R. L. Borden) himself, every one of them has insisted on taking that census as a basis in the district of Athabaska.

Mr. M. S. McCARTHY. What other evidence have you ?

Mr. OLIVER. I do not know what other evidence the hon. gentleman has.

Mr. LAKE. I denied last night taking that census as a basis.

Mr. OLIVER. I would say that if the hon. member for Calgary (Mr. M. S. McCarthy) has no other evidence as in regard to the district of Athabaska that is not the fault of the people of Athabaska ; they ought not to suffer because no means have been taken to find out what the population of the district is or what their rights are. But, if hon. gentlemen opposite insist on taking the census as the basis of calculation in regard to the district of Athabaska they must, in all fair-

ness take it as a basis in the district of Alberta. They must do one or the other, if they are going to be fair. If they take the census as a basis, then, it is clear that there are from 6,000 to 9,000 more people north of township 38 than there are south of township 38. And if they take one member away from Athabaska, they will have to give one to the northern part of Strathcona or Edmonton, if they want to be fair,—but I think that is the last thing they do want to be. If they will not take the census as a basis in the old part of the province, then I submit that they have no right to take it as a basis for Athabaska ; and, if they estimate a fair increase of population in the older part of the province, they are equally bound to estimate a fair increase in this vast new territory.

Mr. SPROULE. Does not the hon. minister see that the census is the one and only basis we have for Athabaska, while it is one of several we have for the other portion of the province.

Mr. OLIVER. Surely.

Mr. SPROULE. Then, why should we be obliged to omit the only evidence we have with regard to Athabaska ?

Mr. OLIVER. I am giving hon. gentlemen oppposite their choice—take one or the other, but not one for one part of the country and the other for the other part of the country.

Mr. SPROULE. But does not the minister see that for one part of the country we have nothing else, and in the other part of the country we have ?

Mr. OLIVER. But if they are willing to stand on that in one part of the country why not in the other part ?

Mr. R. L. BORDEN. I do not know whether the hon. minister (Mr. Oliver) is referring to me or not. But, in case he may be, I think it only fair to say that I made no such argument.

Mr. OLIVER. I was speaking of the general argument.

Mr. R. L. BORDEN. Then, I wish the hon. gentleman would except me. I said I thought his estimate of the population of Athabaska very much exaggerated and express the belief that he could not support it with evidence. But, for the sake of argument, I accepted it and made my remarks on that basis.

Mr. FOSTER. I hope the hon. minister will kindly except me also, as I did not use that argument.

Mr. OLIVER. I will take the hon. gentleman's (Mr. Foster's) word for it certainly.

Sir WILFRID LAURIER. If you except one, you will have to except all.

Mr. OLIVER. I will certainly except the two leaders. I think it would be well if all their followers got up and repudiated their argument in the same way.

Mr. LAKE. I have already done so. While I am on my feet, I would ask the hon. minister to repeat his estimate of the population of the two constituencies.

Mr. OLIVER. Of the district of Athabaska ?

Mr. LAKE. Yes.

Mr. OLIVER. I estimated 5,000 whites and half-breeds, and the census gives about 1,500 Indians—a total of about 6,500, as a mere estimate. The Indians are entitled to be considered in such an estimate as well as the Indians of Macleod or elsewhere.

Mr. LAKE. I think the sensus gives 3,716 Indians.

Mr. OLIVER. In the western part of the district of Athabaska ?

Mr. LAKE. No, in Athabaska.

Mr. OLIVER. I will accept that estimate of the Indians if the hon. gentleman (Mr. Lake) desires it.

Mr. LAKE. I did not know whether the hon. gentleman (Mr. Oliver) was referring to only half of Athabaska.

Mr. OLIVER. I referred to the part to be taken into the district of Alberta. Well, I was saying that if hon. gentlemen opposite will withdraw from that position——

Mr. M. S. McCARTHY. If the hon. minister has the figures, would he state the number of half-breeds in the two districts of Athabaska and Peace River ?

Mr. OLIVER. I have not the half-breeds as distinct from the whites. The distinction I drew was between voters and non-voters,—between whites and half-breeds on the one side and Indians on the other.

Mr. LAKE. How many half-breeds and Indians does he calculate in the eastern and how many in the western part of Athabaska?

Mr. OLIVER. I have not made that calculation. I was pointing out that the two leaders of hon. gentlemen opposite did not take the position to which I have referred, and if hon. gentlemen behind them will repudiate it, we will be in a fair way to come to an agreement. Because, as I have shown, taking the figures of the leader of the opposition, taking his argument, if he accepts my estimate of 5,000 whites and half-breeds of Athabaska, it will be manifest that there is no such disparity in representation as would cause the rejection of the proposition to give two members in the local House to this territory ;—quite the contrary. When we see the difference existing as between a city constituency in the province of Quebec, to say nothing about the difference between city and rural constituencies which prevail all over the Dominion ; if we accept the esti-

mate of 6,500 population for the district of Athabaska ; when we consider the peculiar circumstance of that territory attached to the rest of the province ;—when we take all the things into consideration I am satisfied that the House and the country will justify the proportion of representation that is proposed to be accorded to that territory, and will say that anything less than that would be a rank injustice not only to the people of the district of Athabaska—that would be the smallest part of the consideration—but would be very much against the wellbeing of the whole new province and against the wellbeing of the Dominion of Canada.

Mr. R. L. BORDEN. What does the hon. minister estimate the population of the whole province of Alberta on the 1st July next ?

Mr. OLIVER. The estimate that has been given is 250,000.

Mr. R. L. BORDEN. In what way will it affect the wellbeing of the people of Alberta to give only one member to 5,000 people, when the average for the whole province is one member for 10,000 people ?

Mr. OLIVER. I am sorry, I thought I had made myself clear. I said and I say again that the development and improvement and the granting to the new district of Athabaska, in its different parts, the advantages of civilization under provincial government, is a matter of the very greatest importance to the whole of the province of Alberta, and that the geographical conditions being as they are it is an absolute physical impossibility for one representative to represent the divergent interests of the two sections of that great country while it is to the interest of every part of the province of Alberta and of this whole Dominion of Canada to have both sections adequately represented in the new legislature.

Mr. FOSTER. What are the diverse interests?

Mr. OLIVER. The diverse interests are the interests which lie along the Athabaska river and along the Peace river, the Peace River being an agricultural country looking to agricultural development, the Athabaska, being a fur-bearing country and looking to development in the matter of timber and minerals. Surely there could not be a greater diversity of interests than between these two rivers, and their distance apart and their general geographical conditions are such that no one representative could do justice to them.

Our friends have read returns, receipts of railways and of post offices, and the increase in business in the southern part of the country. Where does that increased business come from ? What has swollen the receipts of the railways at Calgary ? Is it because there are 12,000 people in Calgary as against 5,000 a few years ago ? Nobody will contend that. Is it because there are 10,000 people there instead of 5,000, that there are greater customs returns or that there are more letters received or that there is a large increase in the number of wholesale houses. Everybody knows that the increase of business in a centre of trade such as Calgary or Edmonton is not because of an increased population in those places, but because of an increase of population in the far-outlying places. It is due to the increase in the district of Athabaska, as much as to any other cause that the cities of Edmonton and Calgary are growing as they are growing and that the receipts of the railroads are swelling as they are swelling. There is no other conclusion to be reached and I say that in this day and generation, in this country of Canada, where so much depends upon the development of a new country and where without any serious increase of population we have had our trade and revenues doubled within a few years by reason of the development of new country, and not by increase of population, I cannot understand how the position can be taken that it is not in every one's interest to see that those who are developing the new country shall have every opportunity to do so to advantage.

Mr. FOSTER. Do I understand the minister to say that Calgary has progressed and grown mainly because of development that has taken place in the outlying district of Athabaska ?

Mr. OLIVER. I did not say mainly. I said partly.

Mr. FOSTER. But what is the proportion ? Will the hon. gentleman come down a little from his airy generalizations to particulars ? Will he give us particulars of the trade that flows into Calgary from all portions of the country around Calgary and what proportion of trade it is that flows in from the Peace River and the Athabaska, by figures or anything else?

Mr. OLIVER. I want to be civil in conducting this discussion, but I certainly find it very difficult when I am asked questions that are——

Mr. FOSTER. Difficult to answer.

Mr. OLIVER—absurd on the face of them, which I am not expected to answer, which the member in asking knew I could not by any possibility answer.

Mr. FOSTER. I must say I had a glimmering suspicion that he could not answer them, but the pertinence of my inquiry was that if the hon. gentleman formed a general conclusion upon such a thing and gave it to the House, I supposed he had some data on which to form that conclusion. The statement he made here was that Calgary and Edmonton, take Calgary for instance, had largely progressed and grown rich, not because the population was larger in Calgary, but because of the development in

the Peace River and Athabaska River districts. If he wants to clinch an argument with that would he give inquiring minds on both sides some little inkling as to what currents rush in and out of Calgary greater than those that come in and out from the ranching country that surrounds it and from a thousand and one other different sources of trade within 200 miles of Calgary. Just a few illustrations would do.

Mr. OLIVER. Of course my hon. friend excels at asking questions——

Mr. FOSTER. I am bound to say my hon. friend does not excel at answering them.

Mr. OLIVER. This happens to be one that can be answered.

Mr. FOSTER. Well, let us have it.

Mr. OLIVER. I suppose my hon. friend will admit that the trade of the Athabaska region to Calgary is carried over the Calgary and Edmonton Railway, and I presume that the fact that the Calgary and Edmonton Railway is now, to the best of my information, running two passenger trains a day where it used to run two trains a week, is some evidence that there is some business doing outside of a distance of 200 miles from Calgary.

Sir WILFRID LAURIER. Does that suffice you ?

Mr. FOSTER. That is a clincher.

Mr. OLIVER. That the freight traffic over the road which was also done by two trains a week, not so many years ago——

Mr. FOSTER. Go back a little further when there were no trains a week.

Mr. OLIVER. Surely ; at that time there was very little trade or settlement in the Athabaska district, but my hon. friend will find that the increase in trade and traffic over the Calgary and Edmonton Railway lines, out of which trade and traffic I think the hon. gentleman himself will not deny that the greatet part of Calgary's growth has come, that a fair proportion of that comes from the trade and traffic resulting from the increased settlement and development in the Athabaska and Peace River districts. There is no other way for trade to go from Athabaska and Peace River to Calgary. There is no doubt that the trade of Calgary in that direction has increased immensely, and if my hon. friend is as fair and reasonable in putting this and that together in this case as he frequently is, he will admit that there is evidence that Calgary was benefited very greatly by the growth of the Peace River and Athabaska districts ; that the growth of the Peace River and Athabaska has not been because of the growth of Calgary, but that the growth of Calgary has been because of the growth of Peace River and Athabaska, amongst other portions of the country surrounding Calgary.

Mr. FOSTER. I am glad my hon. friend has taken his own advice of a few moments ago and climbed down some. He now claims for Calgary a proportionate part of its business due to whatever trade and business has been developed in the Calgary, Peace River and Athabaska districts. I quite agree with that, but ten minutes ago he was arguing that the increase of these two districts was the greatest factor in the progress of Calgary. He said it was not the population of Calgary that increased Calgary's growth and development and richness, but it was the population and development of the Athabaska district. He said that while at one time there were two trains per week running north there are now two trains per day or more, and that proves it. Proves what ? Proves that there is a proportional amount of increase of trade between Calgary and Peace River and Athabaska. It proves nothing of the kind. It proves that in a certain period of time the country between Calgary and Edmonton has developed, that where you at one time had one man purchasing commodities, sending them out and bringing them in, you have now twenty or thirty and that where you had towns with a very few people only in them you have now a series of towns. Proportionately I agree with him, but proportionally to a larger extent that the same number of people within ten miles or within fifty miles of Calgary would cause the trade of Calgary to develop and the population of Calgary to grow. What did you do there for the last ten years, for the last five years even ? What population have you had in Athabaska and Peace River ? A population, which to-day, Indians, half-breeds and whites, is estimated liberally by my hon. friend, not on any better information than that a friend of his who knows pretty well that country came down here and told him so, at 5,000. We will not cavil at that ; we will say it is 5,000. Five years ago it was not that. There has been an increase from that time on. A large proportion of this population is Indian, another proportion is half-breeds, and another proportion is whites. I do not know the exact relationship as to the numbers of whites and half-breeds. My hon. friend does not give us that. But I take this as a fact. Then my hon. friend will admit that the amount of stuff that has been consumed in the northern portion of that country by that population within the last five years has, man for man, taken out of Calgary very much less than the same number of people within ten miles, within twenty miles, within fifty miles or even within one hundred miles of Calgary would consume. The white population is not there to make a prosperous city. They are not large consumers. No class of people in the world are less consumers in a lavish or generous way of imported goods or of

the manufactured goods of this country than these same pioneers who are in that far off land. The food that they eat is what they want to get. A large proportion they get in the country and do not get from Calgary. All the clothes they wear they do not buy. They hunt for them to a certain extent. They do not wear the same fine raiment that the hon. Minister of the Interior wears, and in which he sports himself in these more civilized and social parts of the Dominion.

Mr. OLIVER. Yes they do.

Mr. FOSTER. Their costs and charges are not so high. Consequently my hon. friend, if he will just look at it calmly, will climb down a little farther still from that astonishing assertion of his that Calgary's great growth within the last five or six years was due to the fact that Athabaska and Peace River existed, and to the fact that there were some 500 or 800 people in that part of the country.

Mr. OLIVER. May I ask the hon. gentleman what he thinks the people out there do wear ?

Mr. FOSTER. Well, I suppose they are clothed much the same as John the Baptist was, and perhaps they eat the same food.

Mr. OLIVER. I can only say to the hon. gentleman that he is entirely mistaken. They wear the same clothes that we do.

Mr. FOSTER. Is it not locusts and wild honey that they eat ?

Mr. OLIVER. Not at all. They do not wear skins of beasts ; they wear the same clothes as we do.

Mr. R. L. BORDEN. We all wear the skins of beasts in winter time.

Mr. FOSTER. Most of us are in the skins of animals.

Mr. OLIVER. Most of them do not wear skins of animals in that country.

Mr. LALOR. Could the hon. minister inform the committee as to the area of wheat land under cultivation, the number of bushels raised and the number of grist mills in the district of Athabaska ?

Mr. OLIVER. In the proposed new district of Athabaska I am not sure that there are any mills although I think there is one. In the Peace River district, as I have already stated, there is a roller process 50 barrel mill and one stone mill. I cannot give the capacity of this but it is at Peace River crossing. There is one mill owned by the Roman Catholic mission at Peace River River crossing. There is one mill owned by the Roman Catholic mission at Vermilion. There are four mills in the Peace River part of the country. I do not suppose that the two mission mills are of any large account, but the other two mills are of very good capacity and very great usefulness.

Mr. LALOR. May I ask the hon. minister the area of the wheat land in cultivation and the number of bushels raised in that district ?

Mr. OLIVER. I have not that information under my hand. I have a lot of information I could give, but it is not absolutely authoritative. It is only current report.

Mr. GALLIHER. The theory advanced by some hon. gentlemen who have discussed this question from the other side of the House is along the line that representation should be according to population or as nearly so as possible. That might obtain in an old settled country, but I submit it does not obtain in new countries such as portions of this new province of Alberta. We have to take into consideration conditions as they exist. We have to look to the future in regard to the probable increase of population. I will quote to the committee from the census of 1901 of the province of British Columbia to show the conditions which existed there in regard to representation in different local electoral districts. The distribution of seats to which I propose to refer was one made by the provincial government of British Columbia itself and is the one which obtained at the time the census was taken in 1901. I will give the population of some of the rural districts then and compare one with the other, and we will see that even in a distribution of seats made by a province for the purposes of its own provincial legislation the populations do not agree to any extent. We will take, for instance, the rural riding of Nanaimo North. We find that the population, according to the census of 1901, was 1,439. Take the adjoining rural district of Nanaimo South ; we find there a population of 5,146, almost five times as large. Again, we will take the district of Lillooet East ; we find the population of only 789. In Lillooet West immediately adjoining it we find a population of 3,196, and mark you, in each of these ridings that I have mentioned they have the same representation, namely, one member. We will go farther and we will find that in the district of Kootenay East, north riding there is a population of 1,938 with one representative, and in Kootenay East south riding a population of 6,508 with one representative. We will also find that the district of Kootenay West, Revelstoke riding, with a population at that time of 3,003, and Kootenay West, Rossland riding, with a population of 14,603, and one representative given to each. Therefore, where the province itself had the fixing of the electoral districts the province did not adhere to any approximate basis. We find that one district represented by over 14,000 population has but one representative and another district with 3,000 population has one representative. We find that one district of 789 has one representative and that another and adjoining

district with 3,196 has but one representative. If we are to go upon the principle that you must have approximately the same number of people to the same number of representatives, it would be a very dangerous principle and a very difficult one to adhere to in new countries such as the Northwest Territories and British Columbia.

Mr. R. L. BORDEN. What does the hon. gentleman think ; is it that we should pass a resolution of censure on the legislature of British Columbia ?

Mr. GALLIHER. I would not attempt in this parliament to censure the legislature of British Columbia ; they have been doing very well considering.

Mr. M. S. McCARTHY. I desire to refer just for a moment to one or two statements of the Minister of the Interior ; and, first, with regard to his observation that the opposition were apparently coming down one seat a day. I submit that no such interpretation can be placed upon our action. At the outset we proved beyond contradiction—by simply calling attention to the map of the local seats as distributed by the Northwest legislature in 1902—that there were nine seats given to the southern portion and six seats given to the northern portion. We showed by simply pointing to the map that that distribution by the local legislature was a fair one, and we stated that it had been decreed by a non-partisan government after all localities in the country had been represented and had had an opportunity of stating their views. We showed that in that distribution there were at that time three local seats, or only a part of three seats, north of the northern limit of railway construction, and we show that under this proposed distribution to-day there are now eight seats north of the northern limit of railway construction. We showed that in the southern country, under the distribution of 1902, there were eight seats south of the main line of the Canadian Pacific Railway, and we show that to-day these eight have only been increased to nine. We have therefore proven very clearly indeed that if the local distribution of 1902 was fair, this proposed distribution is manifestly unfair. The suggestion has been made on the other side that the local distribution was unfair, and in answer we have pointed out that no complaint has ever been made in the local assembly against it ; and if there had been complaint, there is no doubt that gentlemen opposite would have been informed of it. In order to justify the division which the government now proposes, they must proceed upon the assumption that all the development has been in the northern part of the country, and that the southern part has been at a standstill, or has just sufficiently developed to entitle it to only one additional new seat. We have proven our assertion that there is undue representation given under this proposal to one section of the country, and that there has been discrimination against another part of the country. When gentlemen opposite contended that the local division of constituencies was unfair, we proceeded to show that their own division of constituencies for federal purposes in 1903 was also unfair. We showed from the vote polled and from the number of voters on the list that there was discrimination against a certain section of that country. We asked and we hoped that the government would accept our evidence as to the justness of the position we took, but the government have refused to do so. Then in order that there may be no dispute about the figures, the proposition which we now make in this amendment is so manifestly reasonable that I do not see how any person can oppose it. We tell the government that we will take their own distribution of 1903. Let me say that when that redistribution was made in this House all the members from that part of the country were supporters of the Liberal government. Notwithstanding that, we assume that when the division was made in 1903 this government gave fair and equal representation to the different sections of the country. We have the facts here to prove that there has been a greater influx of population into the southern portion than there has been into the northern portion for the last three years, but we do not insist upon that ; we simply adopt the decision of the government in 1903, and ask them to give these different sections of the country the same proportionate representation that was given then, and have it divided up by a commission of judges, giving five to Alberta, one to the portion of East Assiniboia which is taken into Alberta, and which has 1,650 names on the voters' list ; six to Calgary, six to Strathcona, six to Edmonton. Then we say there will be one left which you can place in Athabaska, and which is giving Athabaska very generous treatment. An attempt has been made to charge this side of the House with a desire to prevent a certain section of that country being represented at all. That is not a fact, and in order to demonstrate that it is not a fact, I may say that I had an alternative schedule prepared, and in that schedule I proposed that Athabaska should get one representative along with the northern section of Alberta. We do not desire that any portion of that country should not have representation, but we do desire that no section of the country shall have undue representation to the detriment of another section. That is our position. We are taking the division made by this government itself, and we merely suggest that these four ridings be divided up into local constituencies so as to prevent the friction which will arise between different localities, such

as that which I pointed out to the First Minister the other day where a flourishing town in the northern part of that country was placed on the dividing line of two constituencies. But we did not suggest that this should be done by a commission with any idea of getting any unfair advantage, because, of the three justices of the Supreme Court in the province of Alberta who were suggested, two were appointed by the present administration and one by a Conservative administration. But this subdivision can be made by a committee of the House just as well, if the government consider that they would be shirking their responsibility by handing that work over to a commission of judges. If you fix the number of seats that each section of the country is entitled to, it does not matter to us whether the division is made by a committee of the House or by a commission of judges; but we say, let there be no difference between the different sections of the country in regard to the quota of representation.

Now, let us follow up the argument of the hon. Minister of the Interior as to the pioneers who should be entitled to representation. I have tried to get from him, for the purpose of making a comparison, the number of half-breeds in the Peace River and Athabaska local constituencies; because in the whole district of Athabaska, only half of which is being taken into the province of Alberta, there was, according to the census of 1901, a total population of 6,615 of whom 3,716 were Indians. The figures given us to-day of the number of Indians in Athabaska and Peace River show: In Athabaska 735, and in Peace River 955, a total of 1,690. If we take 1,690 from the total Indian population, it will be found that there are 2,026 Indians in the eastern section of Athabaska, which is getting no separate representation at all. The object of my question was to find out the number of half-breeds in the proposed two new constituencies, to enable me to show that there were still a number left in the eastern section, which is in the province of Saskatchewan and is not getting any separate representation. I think that disposes of the hon. gentleman's pioneer argument; because if the section of Athabaska which is in the province of Alberta is entitled to special representation by reason of there being some pioneers in it, then the section which is in the province of Saskatchewan would be entitled to special representation upon the same ground. With regard to the suggestion that Athabaska is contributing largely to the increase of wealth and development in the southern parts of Alberta, it has been pointed out twice from the hon. gentleman's own figures, that the receipts for passengers and tonnage on the Canadian Pacific Railway show a greater increase in the neighbourhood of Macleod for the years 1902-3 than they do in the northern part of the province. We claim that there should not be two representatives given to Athabaska because the present conditions do not demand it. I have endeavoured to show that if we take the white population of Athabaska of 241 white people and assume that seventy per cent of that is in the portion included in the province of Alberta, it would amount to a total of 160. The population of the whole province is said to have increased two and one-third times, so that if we multiply 160 by $2\frac{1}{3}$, we get a total white population at present of 400 in that portion of Athabaska. I had further pointed out, as an indication of the population there, that up to two or three months ago there was only one post office in the whole district, and that the revenue from that office in the year 1904 was only $60. That, I think, is a fair indication that the districts is not entitled to two representatives.

Mr. W. J. ROCHE. I have followed with some interest the discussion that has taken place in the House on this question, and I must admit that the more I hear the so-called explanations of the Minister of the Interior and some of his colleagues in the government the more mystified I become. At one time the hon. gentlemen are taking as a foundation for their distribution of seats the population as shown by the census of 1901; at another time it is the estimated population; at another time it is the post offices, the homestead entries, and so on; and when driven from one point, they take up another. I must say that the accusation made by the hon. Minister of the Interior against members on this side of the House of wishing to apply the census of 1901 in one part of the province and not in another, is entirely without foundation. I have yet to hear an hon. member on this side of the House base an argument on that ground. The Prime Minister, in introducing this question, stated that he had taken into consideration existing conditions, population and geographical conditions. In regard to existing conditions, he applies the principle only in part. Where it can be applied without detriment to the object the Minister of the Interior has in view, he applies it, and where it can be applied detrimentally to that object he fails to apply it. It has not been shown up to the present time that north of township 38 there is any constituency in which the existing conditions remain undisturbed. It is only in the southern constituencies that they have been left intact. There cannot be produced a single instance north of township 38 in which existing conditions have been adhered to in this redistribution. That would lend colour to the argument that it has been the effort of the government, and especially of the Minister of the Interior who has looked after that part of the country, to give a preponderating influence to the country north of township 38.

Again they took their position in regard to population. The Prime Minister to-day told the hon. member for St. Antoine division, Montreal (Mr. Ames), that, although his figures might be perfectly accurate, they were not according to the census of 1901, but that according to that census there was a greater population north of township 38 than there was south of it. But we know that the census of 1901 does not afford a proper basis of estimate. This is stated by the Minister of the Interior (Mr. Oliver) himself, who says, at page 8002 of 'Hansard':

> For the province of Alberta the census was taken in 1901, and therefore had become an unreliable basis of information, because there has been since a large increase of population. It was therefore thought better to take as a basis the actual vote polled on the 3rd of November last.

Well, if you take the actual votes polled, what does it show? Take even the government's figures and you find that 11 southern constituencies polled in November 3rd last 10,556 votes, while 11 northern constituencies polled only 9,553 votes. This omits the constituency of Red Deer, which is partly in the north and partly in the south. So, taking the basis proposed by the Minister of the Interior himself, you find that this redistribution gives more representatives to the north than it is entitled to. But if you take the figures prepared by the opposition the disproportion is even greater. And there is probably greater accuracy in the figures prepared by the members of the opposition than in those presented by the government, which were prepared, not by the Prime Minister or by any member of the government, but by the Clerk of the Crown in Chancery, who, probably, did not take one-half the trouble in compiling them that was taken by hon. gentlemen on this side in preparing their figures. According to the figures prepared by members of the opposition the 11 southern constituencies polled 10,701 votes and the 11 northern constituencies 9,259. And the Minister of the Interior (Mr. Oliver) also admitted this in regard to the census of 1901:

> I think that my hon. friend——

Speaking of the hon. member for North Toronto (Mr. Foster)—

> —is in error in suggesting, as my right hon. friend the Prime Minister has already said, that reliance was placed on the number of post offices or anything except the actual number of votes polled. Because this is the actual basis of distribution.

I have shown that more votes were polled in the south than in the north.

Some hon. gentlemen opposite say that they take the number of voters on the list. Well, what does this prove, according to the government's own figures? In the district south of township 38 there were 15,895 names on the list and in the northern district 12,863—Red Deer omitted in both cases. These are the government's own figures, and they show that there is absolutely no reason for giving the preponderating representation to the district north of township 38.

As another means of estimating the population, speakers on behalf of the government take the homestead entries, the post office districts, the school districts and the local improvement districts. Well, as to homestead entries, it has been shown by the member for Calgary (Mr. M. S. McCarthy) that more entries have been made, and therefore there has been a larger influx of population, south of township 38 than north of it. The homestead entries in the three years since the census was taken number 9,941 north of township 38 and 13,028 south of township 38; that is, 43 per cent for the north and 57 per cent for the south.

Mr. PETER TALBOT. I think the hon. member (Mr. W. J. Roche) will find those figures incorrect, as no homestead entries were allowed from the Battleford land agency.

Mr. M. S. McCARTHY. I referred to the map published by the Department of the Interior up to 1st of January, 1905—that is not the date of compilation, but on that map is shown all the townships for which there are printed surveys up to 1st January, 1905. I passed the map over to the hon. gentleman (Mr. Peter Talbot). It will show that there are very few townships for which plans have been printed in the land office at Battleford which go west of the 4th meridian. And if he would look at the map, he will see that his calculation is manifestly unfair. Further, I would point out that part of the district which is west of the 4th meridian in the land office district lies south of 38, but the greater part is north of 38.

Mr. PETER TALBOT. The settled portion is north of 38, certainly. In the vicinity of Lloydminster every available quarter section for many miles is taken up. And there has been a large number of entries made in the Battleford office for land in the constituency of Strathcona.

Mr. M. S. McCARTHY. It was possible for the Minister of the Interior to have had here every entry in that district, showing where it was. That is the sort of evidence that should be before this House to enable us to determine this matter. Why is it not here?

Mr. W. J. ROCHE. The figures quoted, I believe, are from a return moved for in the regular way in this House and supplied by officers of the government. The figures of land sales support those of homestead entries—about 54 per cent south of town-

ship 38 and 46 per cent north of township 38. In the calculation made by the Minister of the Interior, based upon homestead entries, he estimated five to the family. On this basis, it will be seen that there is an excess of people south of township 38 over those north of that township.

Multiply that number by five and it means that 15,435 more people have gone in south of that township than to the north. The Prime Minister also takes the post office as an indication. To show the absurdity of that contention it is only necessary to quote the district of Athabaska in which there was only one post office up to the 1st of February, 1905, and where they only had twelve mail deliveries during the whole year. This district that had twelve monthly services and one post office up to the 1st February last, is one of the arguments why they are giving more representation to the north than to the south, and they want to give two representatives to that whole district of Athabaska that has only one post office in it. That shows how absurd their contention is, to say nothing at all of the political pull that the member supporting the government has in securing a post office for the district he represents. The same way with the school districts that have been referred to, and the local improvement societies, which are perfectly optional with the settlers, they can establish them or not. Now the district of Athabaska is being given two members, and why ? The Prime Minister explains why. In his speech, on page 8006, he says :

> The distances are too great, the difficulties of communication are too serious, and therefore these people would have to remain practically unrepresented.

Well there is nothing at all in that argument. They would not have to go unrepresented if they were associated with another riding in the north, they would be equally represented. By enlarging the riding some it would allow these people to be represented just as well as many other constituencies are to-day being represented by members who are now sitting in this House. The Prime Minister goes on :

> They could not have the advantage of seeing their member and their member could not see them, and for these reasons we have thought it would not only not be right, but it would not be just and fair that these people should not have the advantage of representation.

Why, I venture to say that there are many members in this House who are representing constituencies so extensive in size that they have never seen portions of them. From 1896 to 1900 I myself had the honour of representing a very large constituency territorially ; it extended some 250 or 300 miles north of where I resided, and up to this time I have never seen hundreds of those settlers who reside in the Lake Winnipegosis district, I could not cover the whole region in the time allowed for the campaign. Still, I did business for these people, they were willing to have me represent them, and elected me as their representative on each occasion. They did not complain much until they were cut off, owing to an increase in the population of the province. As I said before, it is unnecessary to divest these people of representation simply because we refuse to acquiesce in the wish of the government to give them two representatives for that sparsely settled district. And when it is shown what a small population there is in that district, what does the government fall back upon ? They do not defend themselves on the ground that there is a sufficient population, but they say : Look at that very large district, look at the area, 300 square miles, or something of that character. If they are going to apply that argument to the portion of Athabaska within the new province of Alberta, should they not apply it to that portion that remains in the new province of Saskatchewan ? Are you going to deny representation to that portion within the new province of Saskatchewan ? Certainly not. Is it not just as deserving of representation as that portion retained in the province of Alberta ? Still, where there were only 241 white people in the whole district in 1901, according to the census, they are giving two representatives, defending themselves on the ground that the territory is so large the members could not see their constituents. Now we have at the present time six members for the territorial assembly according to the redistribution made in this House in 1903. There are six members of the local territorial assembly north of township 38, and there are nine south of that line. Now why is this proportion disturbed ? Not because there has been a greater influx of population north, because there has not been ; and if there has not been a greater influx north of township 38, why then has this proportion been disturbed? And yet, owing to the fact that there are only six seats north and nine south, we should have a larger number given to the south. The population has gone in since the redistribution was made by this government, and notwithstanding this large population that is in the south in excess of that in the north, they are giving only two of an increase to the south while they are giving seven to the north.

Now we have no means of knowing the number of votes that were polled in Athabaska at the last election, we only know that by the census there were only 241 white people in that district, and we have no means of estimating the present population. The only grounds upon which an estimate can be made is that given by the Minister of the Interior who says that some man in that district told him so. Seriously, can he, as a minister of the Crown, come forward in parliament and state there are 5,000 people at the present time in the district of Athabaska, on the mere fact that some man told

him so, who may be a political supporter of his, and who wished to furnish him with an argument in order to bolster up his scheme. Hon. gentlemen on that side have taken the ground that if Mr. Haultain and the territorial members were not in accord with this redistribution, he should have summoned the territorial assembly and made a protest. I would ask the hon. gentleman if he is serious in making such an assertion. What encouragement has the premier of the Territories had in the past to call a special session of the legislature, to put the country to the expense of having seven by-elections, to go through the farce of approving or disapproving anything when this government would not be guided by their decision ? When that government unanimously sent down here a draft Bill asking for the retention of their public domain, was this government guided by the decision of the Territories in that respect ? And if they were not, how could we expect them to be guided in regard to the distribution of seats ? I think the Minister of the Interior himself would be the first to take the stump against the local government to try to impress upon the people what a useless waste of public money it was to put the country to the expense of holding seven by-elections and calling a special session of the legislature to pass upon something which lay entirely in the discretion of this government.

I would ask the hon. gentlemen, do they object to the judges deciding this matter ? If they are confident of the justice of their cause, why should they object to getting a judicial redistribution, the very means that they themselves proposed in 1899? Why should they object to handing over this case, if it is so just and fair as they pretend, to three judges of the Supreme Court of the Territories, two of whom have been appointed by this government since they came into power ? I should say that if they felt convinced they had a good case they would not at all object to referring it to these judges for a decision, men who would be entirely independent of political influence, or even if they did not refer it to the judges, then, as the leader of the opposition (Mr. R. L. Borden) suggests it might be referred to any other tribunal whose decision could be relied on by both political parties, in whom both political parties would have confidence. If that were done the commissioners, whoever they might be, would be on the ground, they would be acquainted with the country, they would have the advice and opinion of the local members which we have not at present, and they could hear the evidence of any witnesses they wished to hear and so could decide that question much more competently than it could be decided by the members of this House.

At six o'clock, Committee took recess.

Mr. W. J. ROCHE

After Recess.

Committee resumed at eight o'clock.

Mr. R. L. BORDEN. I thought we might have the advantage of hearing from the right hon. Prime Minister (Sir Wilfrid Laurier) in regard to the suggestion which I made in the afternoon, as to the figures which I then mentioned and which were admitted by my hon. friend the Minister of the Interior (Mr. Oliver) this afternoon. I pointed out to the right hon. Prime Minister at that time that out of an estimated population of 250,000 there are only 5,000 in this part of the province to which two members are to be allotted under the Bill. I must confess that I do not see how that position can be defended. The Minister of the Interior made some rather lengthy remarks, and if I may be permitted to say so, without intending any disrespect, he treated the subject from a very trivial and rather unworthy standpoint. It is idle for any hon. gentleman to assert that the welfare of the province of Alberta requires that 245,000 people shall be represented by 23 members in the legislative assembly, and that 5,000 at the outside, taking what I believe to be a very extravagant estimate, must be represented by two members. That is an argument which it is not necessary for us to meet or controvert. It answers itself. No possible reason can be suggested in support of that assertion. There are no physical difficulties, there are no difficulties or conditions of any kind, which make it necessary or expedient or proper, or right, or fair, or honest, to adopt any such measure of representation as that which is proposed. If there be any such, surely we have the right to know what they are. I have not heard of any and certainly the Minister of the Interior has not even suggested remotely any reason which would weigh in the slightest degree to that end. There is no expectation of greater development in that district than in the other districts. There is a population admitted by us for the purpose of argument, although we conceive that the estimate of the minister as to the population in that district is absurdly extravagant ; but, yet, taking it for the moment as being fair and reliable, it is an estimate which does not at all justify any such distribution as that which has been proposed. Further, we could offset against the estimate of the hon. minister—an estimate based upon hearsay information derived from persons whom we do not know, whom we have not seen, the exact details of which we have not before us—other estimates, estimates which have been published in reliable and respectable journals in the west, and which may be presumed to be founded on information quite as good as that which has been acted upon by the hon. Minister of the Interior. If we are to act upon estimates of

that character we shall be led into all sorts of conjectures. However, putting aside that consideration for the moment and accepting the estimate which has been made by the Minister of the Interior, for the purpose of argument, although believing it to be an estimate which is not supported, we have the result which I pointed out to the right hon. gentleman, and I must confess that I think the situation is one which demands grave consideration at his hands. I have not heard and I cannot conceive of any reasons which would enable one to say that a distribution of that kind has even the most remote semblance of fairness—245,000 people to elect 23 representatives; 5,000 to elect 2. The Minister of the Interior has referred to the development of industries. Surely no one who knows anything of the province of Alberta will suggest that there is any greater wealth, or any more industries in this district than in other districts. I am not suggesting that these things should be very much taken into consideration, but they were suggested this afternoon by the Minister of the Interior in his remarks. The basis of population must be the ultimate basis upon which to proceed, having regard, of course to certain other conditions to which we are willing to give weight if necessary. He speaks of community of interest. Even assuming that the district referred to has a community of interest distinct from the remainder of the province of Alberta we are not in any way seeking to invade the principle which he invokes because our only suggestion is that this particular district in Alberta shall be entitled to one member, although, according to the information as to the population of the province that is before us it has only one-half of the population which would entitle it to a member—25 members to be elected to the legislative assembly by 250,000 people; an average of 10,000. The government suggest that 5,000 people in this district shall have two members. We suggest one member, which is just double the representation which the population of that district would be entitled to under the estimate which has been presented to this House by the government. Under these conditions, how is it possible to ask the committee to give two members to that district instead of one. I trust the right hon. gentleman will adopt what has been suggested by us, and modify the schedule accordingly.

Sir WILFRID LAURIER. We are now in the fourth day of this debate, and after giving as fair and impartial consideration as I could to the matter, the conclusion at which I have arrived is that the only point as to which anything like an argument has been made by gentlemen opposite is as to whether the district of Athabaska should be represented by one member or by two. I do not pretend that I am free from bias and I suppose if I did I would not be believed; all of us are perhaps more or less based on one side or the other, but I hold that that would not prevent us from giving a fair and impartial judgment in a matter of this kind. I have heard the word gerrymander applied to this distribution, but in the sense of grouping sections of the population or scattering naturally united districts with a view of giving an unfair advantage to one political party, I am glad to say that after four days discussion that has not even been suggested. Unfortunately a quarrel has arisen out of the fact that there are two rival cities in the new province of Alberta and I take it that this extraneous circumstance has led to the discussion on this distribution. Unless I am greatly mistaken, and I am in the judgment of those who have listened to the debate, if we had only Calgary and no Edmonton or Edmonton and no Calgary, no man in this House would grudge giving two members to the district of Athabaska. This House has never refused representation to constituencies which were much smaller than others, when these constituencies were separated by distance, when they were new communities, or when they had local interests to be served. I was impressed this afternoon with the reference to the representation of Quebec West, which of course I knew but which did not occur to me until it was mentioned. Quebec West has a population of about 9,000, but it has its member, and we never thought of merging it into another constituency simply because we wanted to give representation to a class of the population which might otherwise not be represented in this parliament. In other provinces there has also existed a great discrepancy between the population of constituencies, but the smaller communities have been left their representation although not entitled to a representative in point of number, because it is felt it would not be wise to leave particular interests or classes unrepresented. I have already called the attention of the House to the fact that in 1871 Cariboo in British Columbia had a total population of 1,955, the number of voters being 359, and these 359 men in the district of Cariboo had the same voting power as some 20,000 men in other constituencies of the Dominion. In the constituencies of Yale the population was actually only 1,316, and the total number of voters 148. In the election of 1874, Mr. Dewdney was returned having secured 75 votes and his opponent got 9 votes, making 84 votes cast in that election. I could cite a number of similar instances in Manitoba, British Columbia and elsewhere. Why were these discrepancies allowed? Nobody ever objected, nobody ever suggested these communities should not be represented; it was felt that as there were groups of populations scattered here and there, it was better for the contentment of the people at large and for the better government of the country that they should have a voice in the legis-

lature, so that all matters affecting the country could be ventilated, and so that the peculiar wants and requirements of the community could be made known. To my mind these things apply equally well at the present day as in former times. The concession has been made by the opposition during this discussion that Athabaska should get at least one member. When the debate commenced four days ago, gentlemen opposite contended that Athabaska should not have a representative, but that the boundaries of St. Albert and Sturgeon should be extended north to the limits of Athabaska and Mackenzie, and that Athabaska should be included in these constituencies. That was the first proposition made by gentlemen on the other side. They have evidently now come to the conclusion that this would not be fair to the people now in Athabaska as well as to people who are going into that Territory, and who have their own interests and their own requirements, and whose voice should be heard in the legislature of the province. The point now is whether Athabaska should have one member or two. If we look at the population alone I grant that one member ought to be enough, but if you look at the peculiarities of the geographical conditions, I leave it to the leader of the opposition himself and to his friends behind him to say whether or not it is fair that you should have only a single representative for that immense territory in which there are at present no lines of communication, in which the settlements are centred upon the Peace and the Athabaska rivers, and between which two rivers so far as I know there is no direct communication. Under such circumstances I ask if it would be reasonable to give only one representative to the district of Athabaska. I do not pronounce categorically on the question ; I am willing to listen to argument, but again I repeat that unless I am greatly mistaken no one would begrudge two members to the district of Athabaska, but for the fact that the capital has to be selected and the gentlemen from Calgary seem to think that if Athabaska is given two representatives instead of one, Calgary has no chance of being the capital. My hon. friend (Mr. R. L. Borden) suggests now that we should adopt another method of division and take as a basis the four federal electoral districts of Calgary, Alberta, Saskatchewan and Strathcona, giving six members to one, and three members to another, and five members to another. Why not give six members to the other instead of five. I do not know how that would work out. If you gave six members to these districts, you might also have to give six to the others ; but it seems to me that the best thing to do is not to do that in advance, but to take up the constituencies as they are on the map, one after another, and see whether they are fair or not, and, if they are not fair, to try to rectify them.

Sir WILFRID LAURIER.

Mr. R. L. BORDEN. Might I be permitted to say in reply to the right hon. gentleman that the question of the capital does not affect in any way the conclusions which I have been endeavouring to express to the House. The right hon. gentleman says that if there were no question of the capital concerned, no one in this House would begrudge two members to the unorganized territory which is to form part of the new province of Alberta. I do not like the word 'begrudge,' I am not begrudging anything ; I am proposing to allot to every man in the province of Alberta, so far as we can reasonably do it, the same voice in the legislature that every other man has. My right hon. friend talks of a concession having been made. I thought I had made myself reasonably clear. I stated over and over again that I did not think there was any evidence before this committee that would justify the conclusion that there are 5,000 people in that unorganized territory. I am of that opinion still. But we have got past that, not as a matter of fact, but for the purpose of this argument. I am taking the estimates made by the members of the administration themselves, and I am pointing out that 245,000 people are to have a representation of 23, and 5,000 people are to have a representation of 2. Can we concede for a moment that there are conditions which would justify that ? I know of no such conditions. If there are any let us know what they are. I have not heard from my right hon. friend what they are. He says that one representative is not enough because the people are scattered. Well, I have not observed any provision in this Bill that the members of these particular ridings are to be residents of the ridings they represent, or any provision to enable their constituents to see them. It is very probable that men who have business interests in these ridings will represent them, although residing at Edmonton. What advantage or necessity is there in having two representatives instead of one? Suppose you extended the constituency further towards the north pole, and had a population of 5,000 or 6,000 scattered over a thousand miles of that territory, would you give them three or four or five members because the territory would be so much larger? I have never heard of such an argument before. My right hon. friend refers to the illustrations given by the hon. Minister of the Interior, and talks about Quebec West and Yale-Cariboo. We are not discussing Quebec West or Yale-Cariboo. I assume that there were conditions that made it necessary for these constituencies to have the representation given to them; otherwise it was the hon. gentleman's duty in 1903 to remedy any grievance. Why did not the right hon. gentleman refer to Old Sarum with a dozen electors which elected one member when Liverpool with 100,000 people

did not elect any ? That would have been a much better illustration than the one he gave. If he had taken a dozen rotten boroughs in Great Britain as they existed before 1832, he would have found much better illustrations of inequality than any he has given to-day. But we are not dealing with these at the present moment. We are dealing with the representation of the proposed province of Alberta, and I must confess that I expected to hear from my right hon. friend something different to that with which he has just concluded. What conditions make it necessary to give these supposed 5,000 people—because they do not really exist—two members I have not heard, except something about community of interest. The answer to that is that we are not disturbing that principle, because the proposal is that they shall all be represented by one member. The other suggestion is the feeble one, that they must have two members in order that they may be able to see their representatives. That seems to me extraordinary enough to provoke a smile. There are say 800 or 1,000 electors there according to the argument of hon. gentlemen opposite, though not supported by any sufficient basis, and we must give one member to each 500 of these in order that he may have the privilege of seeing his constituents and they him. What guarantee have we that if we give two representatives their constituents will see them any oftener than they would see one? Is there not a mail service there? How many of our constituents do we see in the course of a year or four years? Is not ninety-nine-one-hundredths of the business which each member in this House transacts with his constituents conducted by correspondence? The hon. junior member for Halifax represents at least 18,000 electors. How many of these does he see in the course of a year ? If he saw the whole 18,000 in the course of a year I think we might expect from him an early intimation of his intention to resign his seat, because it would take more than the 24 hours of every day to transact his business with them. Let us apply common sense and practical experience to this question. These matters are not transacted by personal interviews; they cannot be. The business of members with their constituents is transacted by correspondence, and the suggestion that there should be two members in order that they might spend their time travelling up and down these rivers in order to transact business in regards to roads and bridges, and so forth, is so trival that I hesitate to characterize it in the terms that naturally come to one's tongue. The main test to which we must go back is the test of population. I do not deny that there may be other considerations, but there are none brought to the attention of this committee that in any way would make it necessary to give to those who are supposed to live in this part of the province of Alberta four times the representation accorded to those who reside in other parts. The right hon. gentleman thinks the best course is to proceed to consider the limits of the constituencies. I do not see how we shall make very much progress in that way, because after all we shall have to come back to the question whether 5,000 men in one constituency shall have the same representation as is given to 20,000 in other constituencies. That is the question that will face us in the end however much we may go over this schedule; but if the right hon. gentleman would prefer to let this amendment stand for the moment and go over the delimitation of the constituencies, I do not know that there is any particular objection to that, except that I do not want to have the matter decided without further discussion.

Mr. OLIVER. There is no use in our threshing over the same word time after time, making the same statements, each declaring that he does not see what the other needs. I think my hon. friends on the other side are getting thrashed so far. There is a well-defined difference of policy, as I understand, between the two sides of the House. And, once the issue is taken on the question of policy and the position of each side clearly stated before the country, that should be enough, and the business of the House should be allowed to proceed.

Mr. R. L. BORDEN. It is proceeding.

Mr. OLIVER. Not so far.

Mr. BARKER. The hon. gentleman (Mr. Oliver) is interrupting now. We are waiting for an answer from the First Minister (Sir Wilfrid Laurier).

Mr. OLIVER. Perhaps I may be allowed to say that, as I understand the difference of policy, it is this : Our hon. friends on the other side claim that the only test in regard to distribution of seats should be population.

Mr. BARR. Oh, no.

Mr. OLIVER. That is what I understand to be the trend and result of the argument of hon. gentlemen opposite.

Mr. R. L. BORDEN. Who stated that ?

Mr. OLIVER. I think that my hon. friend (Mr. R. L. Borden) has argued ever since he first touched this subject to that effect. If not I have misunderstood him.

Mr. R. L. BORDEN. The hon. gentleman certainly did misunderstand me. And he could not have been paying attention to the debate, for only five minutes ago, I stated that the distribution might be affected by other conditions, but I had heard of none which should affect it to the extent proposed.

Mr. OLIVER. The hon. gentleman (Mr. R. L. Borden) reminds me of a Scotchman who said he was quite open to conviction, but he would like to see the man who could convince him. If hon. gentlemen opposite will permit me to state what seems to me to be the position of the opposition, for the purpose of stating what seems to me to be the position of this side of the House, I can make my argument clearer. It seems to me that the trend of the argument on the other side up to the present time is that the test of representation should be population.

Mr. R. L. BORDEN. The main test—no doubt.

Mr. OLIVER. That and that alone. Now, if I understand the position of this side, it is that the population is one basis, but besides there should be considered also other elements—area, prospects and possibilities, community of interest. And we point to the example of every distribution of seats in every province of the Dominion ever since there was a Dominion. We say that our policy is that which has governed every party in every province, in every distribution. If that does not convince hon. gentlemen opposite that we are in the right, we simply fail to convince them, and there is no need to prolong the argument. If we, with the whole history of the country on our side cannot convince them, they can hardly hope to convince us. I have no hesitation in saying that their proposal, if carried into effect would result in the gravest difficulty. My hon. friend (Mr. R. L. Borden) smiles. He doubts what I say. He has an amendment which he proposes to move setting forth his view of the proper distribution of these constituencies. If I have read that amendment correctly, he proposes to give to the Dominion electoral district of Alberta 5 local seats; to Calgary, 6; to Strathcona, 6; to Edmonton, 6. If I read the figures aright, that means that 686 voters in the district of Alberta will be entitled to a representative in the local assembly, according to his proposal, while in the district of Strathcona, 966 voters would be entitled to one representative.

Mr. R. L. BORDEN. I do not think it works out that way.

Mr. OLIVER. I think my calculation, if incorrect, is incorrect only in small degree. The hon. gentleman has argued, on the occasions when he has stated his position before the House—and never more persistently and determinedly than within the last five minutes—that the basis of representation should be equality of population. Yet, in the very proposition he has placed before the House he has departed from that principle to the extent of 50 per cent. I find no fault with his proposition on that account, but simply with the argument; and I am trying to show how absurd is his argument of population that it should be the sole basis of representation. He proposes to govern the new constituencies of the province by the present Dominion constituencies. That may be a perfectly proper basis of division. I do not think it is, as a matter of fact. I say it is a very improper one. But, let us assume, for the sake of argument, that it is a proper division. In making that division he gives an advantage of 50 per cent to one part of the country over another. Does he say that the people in one part of the country are more intelligent, or that a larger proportion of them are voters? He has been careful, in speaking of the district of Athabaska to take my estimate of 5,000 whites and half-breeds but to omit the 1,500 Indians who went to make up my total estimate of 6,500 for that district. But, take the district of Alberta to which he proposes to give 5 members. Out of a total population in the district of Macleod, according to the census, there are 1,738 Indians. If the hon. gentleman finds the proposal we make does not absolutely accord with rule and line and plummet, I would call his careful attention to his own proposal to see how nearly he has met the condition he himself has laid down.

Mr. R. L. BORDEN. So far as voters on the list are concerned, Alberta, according to the figures has 5,147 or about 1,000 voters for each member proposed to be given to that district.

Mr. OLIVER. Then, my hon. friend (Mr. R. L. Borden) refuses to accept any other standard than the voters' list?

Mr. R. L. BORDEN. I have said that a dozen times—that the voters on the list were a much better guide to population than the number of votes cast. I should think that so obvious that it would be hardly necessary to repeat it a dozen times. A greater proportion of voters may go to the polls in one constituency than in another. The difference may be due to a dozen different reasons. The weather, the nature of the issue, the organization of the party, the popularity of the candidate, the keeness of the contest—a hundred things affect the percentage of voters who go to the polls. Therefore it seems to me clear that the number on the list is a much safer guide to the population than the number who actually go to the polls.

Mr. BARKER. Let me ask the minister another question. Supposing in two or three constituencies there was no contest at all, what would he do if he were to rely upon the lists? Would he say there were no voters if there was no contest?

Mr. OLIVER. That is what my hon. friends have been saying with regard to the district of Athabaska. But I would like, for the information of my hon. friend, to give him a fact in regard to the method in which voters' lists are prepared in the Northwest Territories, and the purpose which they have in view. The very fact which was brought out recently by my hon. friend from Strath-

cona that in ten cases, I think, in the four electoral districts of Alberta, the number of votes polled overran the number of votes on the list, is sufficient evidence that the votes on the list are not an accurate guide to the number of the population, and the lists are not at all in the same position as the voters' lists in this part of the country where they are made up on a different basis. In the Northwest the enumerator is appointed immediately before the election, whose duty it is to place upon the list the names of those within the polling division who he believes are entitled to vote. He may see these people or he may not; and in the result of the vote it makes no difference whether a man's name is on the list or not, if he is a voter he is entitled to go to the poll, and by taking the oath, to cast his vote. That being the case, it is evident that the same care is not taken in making up the voters' lists that would be taken were the voters' lists the final test. In this part of Canada, candidates and members go to the expense of hundreds and thousands of dollars to get a correct voters' list, because that is the final test of the right to vote. But in the Northwest Territories the voters' lists are not the final test at all. Nobody goes to any expense to prepare a list, and the lists are consequently notoriously inaccurate so far as they represent the actual voting population. When we proposed to provide for a delimitation of the districts it was not with an intention of depriving any one of his right to vote that we took the basis of the votes cast rather than the basis of those on the list, but it was because we felt that the votes cast would be accepted by everybody as the more accurate indication of the number of voters available in the district.

Mr. BARKER. Does the hon. gentleman know what percentage of non-registered voters attended at the polls?

Mr. OLIVER. I could not say.

Mr. BARKER. We want to know whether any material number voted who had not been on the list; and next, did not that apply to every one of the constituencies, so as not to affect the average.

Mr. OLIVER. Of course.

Mr. BARKER. Then what difference does it makes, as the list would give the true average after all?

Mr. OLIVER. It might and it might not, there is no assurance of it. The assurance is much better when you rely upon the ballots in the box than upon the names on the list, prepared as those lists are.

Mr. BARKER. But the hon. gentleman forgets. There may be 30, or 40 or 50 per cent on the list that do not vote at all; but there may be only 1 per cent or 2 per cent who have voted that were not on the list. One is 1 or 2 per cent from the accurate figure, the other may be 30, 40 or 50 per cent off.

Mr. W. J. ROCHE. If the minister thinks that the better basis is the number of votes polled rather than the number on the list, how comes it that, according to the government's own figures submitted to this House, in the eleven southern constituencies there were 10,566 votes polled and 15,895 on the list? Which is the better gauge of population? The same way in the north.

Mr. BARKER. That shows a difference of 50 per cent. If the hon. minister will now tell us what the percentage was that voted who were not on the list, we will be able to say whether the list of voters, or the number who voted is the better guide.

Mr. LAKE. In the only case that came to my notice there was an equality between the names on the list and the number of those who voted, it was a case in which there was a duplicate of names on one of the lists. Two lists were supplied, and on the list which had evidently been used there was a duplicate of names. I did not find a single case in the large number of lists I looked through, in which there was a larger number of votes polled than of names on the list, and I looked more or less at the lists of six constituencies in the Northwest Territories. I was glad just now to hear the minister quoting from the census figures, showing he had looked them up. This afternoon I asked him the question as to what number he estimated the half-breed population in the eastern half of Athabaska to be. I think that is information that we might demand at this stage. The schedules for the new province of Saskatchewan have been drawn up, no doubt, after the minister had inquired very closely into the details of the population in that new province. I would like to ask him how many of the white and half-breed population in the district of Athabaska he places in the eastern part which is to go into the new province of Saskatchewan, and how many were there according to the census of 1901?

Mr. OLIVER. I am not prepared to answer that question, the return is not in my department. I will be glad to get the information and present it to the House, if desired.

Mr. LAKE. At any rate, the hon. gentleman might tell us how many whites and half-breeds he estimates are in the eastern part, as the schedules for Saskatchewan have been drawn up and submitted.

Mr. OLIVER. I am not able to give any estimate. I have been careful, on the request of the hon. member for North Toronto, to secure from the Census Department a complete statement of the whites and half-breeds on the one hand and of Indians on the other, in the district affected by the Bill under discussion. If I had been asked to

secure the other I would have got the information but I have not it at present. I hope my hon. friend is not going to hold the Bill up because I have not secured information which relates to some other Bill.

Mr. BARKER. All this should have been done before you brought the schedule in.

Mr. OLIVER. Perhaps my hon. friend would like the trade returns from Japan in connection with this Bill as well.

Mr. BARKER. I am asking with reference to the Bill before the House. The minister and his colleague from Strathcona have prepared this schedule. If the hon. gentleman does not know the facts relating to the matter, he should not attempt to draw up the schedule.

Mr. OLIVER. The hon. gentleman seems to think he knows the pertinent facts.

Mr. BARKER. I did not draw the schedule; but the minister, when he was not a minister, when he had no responsibility as a minister, with the help of his friend and colleague, undertook to draw up the schedule. He has not attempted to deny it, although it has been charged again and again, but he admits now that he did not know the facts necessary to be known before he attempted to draw the schedule.

Mr. LAKE. Does the minister admit then that the schedules for Saskatchewan have been prepared without there being in his possession any information as to the white and half-breed voting population in the eastern part of Athabaska?

Mr. OLIVER. I believe that, as a matter of fact, the schedules for Saskatchewan have been drawn up without a knowledge of the number of whites and half-breeds in the eastern part of Athabaska. That eastern part of Athabaska is not under Indian treaty, and the fact that it is not under Indian treaty is evidence that there is not supposed by any authority to be any considerable population of white men in that district. If there was any considerable white population it would have been a necessity for the government before now to have secured a treaty from the Indians. I have every reason to believe that there is not either a large white or Indian population. At any rate, we have not the same means available for securing information in regard to the eastern as we have to the western part of the province. However, such information as is available in the census bureau will be placed at the disposal of my hon. friends as soon as we can get it.

Mr. LAKE. By the census of 1901 there were 242 whites in the western part of Athabaska and 2,395 half-breeds. I presume a portion of those figures were taken as part of the basis when the calculation was made as to the estimated population which the minister has given us of the western part of Athabaska. Could he tell us what proportion of those 242 whites were estimated to be in the western part of Athabaska and what proportion in the eastern part?

Mr. OLIVER. I have not made that inquiry of the census department.

Mr. LAKE. Then the 5,000 is a pure guess given on information supplied by some gentleman whose name has not been given to the committee.

Mr. OLIVER. I do not know what particular import the hon. member attaches to the word 'guess.' Inasmuch as there was not an official census taken to substantiate that statement, it must be considered as an estimate and not as official; but to say it is a mere guess, is rather straining, because the hon. gentleman will have to take my word for it that I secured the information from a gentleman who was probably better informed regarding it than any other white man, and who gave it to me as being reliable.

Mr. LAKE. Was that statement verified, or was it just the statement of one gentleman?

Mr. OLIVER. It was the statement of one gentleman.

Mr. LAKE. And the minister did not take this basis of 242 which appeared as the white population in 1901 into consideration?

Mr. OLIVER. I hope my hon. friend will keep within the limits. I think he said a few minutes ago that the population was some 251, and now he wants me to say why I consider it is only 251.

Mr. LAKE. I said that, according to the census of 1901, the population of whites is 242. Now, I want to know his proportion in the west and in the east.

Mr. OLIVER. I want to know what the question whether the people are whites or half-breeds has to do with the matter?

Mr. LAKE. It has to do with an argument I wish to make.

Mr. OLIVER. We will admit it for the sake of the argument.

Mr. LAKE. That the whole of the 242 whites are in the west?

Mr. OLIVER. For the sake of the argument, we will accept any figure the hon. gentleman chooses to state.

Mr. LAKE. The minister has been making this estimate, I suppose, not simply upon the information of one gentleman unnamed to this House, but whom we would like to know, although apparently we are not to be told. The minister surely had

some other means of verifying this extraordinary increase from 242 whites and 2,395 half-breeds up to 5,000 whites and half-breeds. I think it may be taken as granted that the half-breeds have not been increasing to any very great extent, probably just the natural increase of the half-breeds. As we know, the Indian population has been pretty well at a standstill for a great number of years past, and I think we may take it for granted that the half-breed population has not been increasing to any very great extent, and that there has not been any immigration of half-breeds into that country either. We know that half-breeds are moving about the country, but if they moved from Athabaska they would go to Alberta in all probability, so it does not affect the argument.

Mr. OLIVER. Would it be because they have moved from Edmonton that they would not be in Athabaska after they had moved there ?

Mr. LAKE. The reason I made the remark was that he is calculating a larger number of seats are due to northern Alberta on account of population than they are really entitled to, and so if he is gaining new half-breeds in northern Alberta, he must not count them in in Athabaska. Deducting the half-breeds, who are about stationary and of whom a very great number are likely enough in the eastern part of that territory, there has been an increase of white settlers. The increase in the number of whites was from 242 to 3,400 between the years 1901 and 1905 ; that is to say, that the number of whites in that country is fourteen times as great as it was. Taking that figure, it must be assumed that there has been an immigration into Athabaska of 850 whites per annum since 1901. Now, I would like to know whether the hon. minister can furnish us with any information which is likely to convince this House that such a large immigration went into that country every year within the last four years. First of all, what time do the immigrants for Athabaska and Peace River leave Edmonton ? I presume that practically the whole of them pass through Edmonton on their way to that country. At about what time in the year do they commence to leave ? At what time are the rivers open, and at what time does travel cease ?

Mr. OLIVER. People travel between Edmonton and Peace River at all seasons of the year.

Mr. LAKE. How many immigrants per week go into that country on the average ?

Some hon. MEMBERS. Oh.

Mr. LAKE. I think that when we have such an indefinite statement as that which has been submitted to the House, and when we have nothing to support it we have a right to inquire as closely as we can and to see if it can be supported by other probable facts.

Mr. OLIVER. What is the argument ?

Mr. LAKE. I am anxious to know whether the hon. minister is prepared to say if every week during these four years an average of about 15 immigrants started off and went up into the Athabaska or Peace River country.

Mr. OLIVER. The immigration department has not yet established an agency to check the immigration into Peace River.

Mr. LAKE. I thought the hon. minister might have been able to tell us from his own observations. He is living in Edmonton, he must know what is going on pretty well, and he must see these immigrants day after day starting off for the Peace River and Athabaska country, and it seems to me that he might assure this committee as to these facts, or if there is likely to be something more behind his statement than he has given us that there is this large white and half-breed population. How many per week has he himself seen ? How many wagons at a time has he seen week after week starting up into that country ?

Mr. OLIVER. They do not use wagons in the winter.

Mr. LAKE. Well, we will say sleighs if it suits the hon. gentleman better. The hon. gentleman apparently is not prepared to give any facts to substantiate his figures. He expects this committee and parliament to accept his estimate of 5,000 simply on an opinion expressed by some unknown gentleman. I think it is due to this House that it should have something more before it than simply telling it that is must accept that estimate of population and that it must give two members to represent that district because in the hon. minister's opinion there are something like 5,000 whites and half-breeds in that country. Since the House adjourned this afternoon I have been looking into a few of the census figures. We have had quoted to us on two or three occasions the census of 1901 and it seems to me that there are some interesting deductions to be obtained from these figures. For instance, I looked into the population of Alberta as given in the census of 1901 and the estimated population to the 1st of July of the present year, a few days hence, and I found that the population has increased nearly four times or 392 per cent. I work it out in this way : The total population of 1901 was 65,876. We will add the estimated population in the Medicine Hat district from the new province of Saskatchewan amounting to about 3,000. I think Medicine Hat itself had about 2,000 of that population. Now, we have to deduct from that the Indians who have not been immigrating into this country and whose population, as I think it will be

admitted, has been pretty well at a standstill. You may take 5,620 Indians from that number. You may also take 3,686 half-breeds who have not been immigrating into that country and whose population may also be considered to be more or less at a standstill ; at any rate, there is a very small proportionate natural increase. That leaves a total number of whites in the year 1901 of 59,570 for the old district of Alberta. It is calculated that 250,000 is the population of the whole of the new province of Alberta. So, I deduct the total population of Indians and the estimated number of half-breeds which the hon. minister fancies he has found in the district of Athabaska and I find we have to deduct on this account 15,906 leaving a total white population at the present time of 234,094. It will be found from that calculation, if you simply divide that sum by 59,570, that the population has increased nearly four times or 392 per cent as compared with what it was shown to be in the 1901 census. What I am driving at is this : The census of 1901 is a most extraordinary basis to form this distribution upon when there are four white settlers now for every settler that there were four years ago. How can this committee for one instant say that this new population is divided absolutely evenly throughout the whole country, a population which is four times as great as it was four years ago ? In these last four years we have been having exceptionally good seasons in the southern part of Alberta and there has been a large inrush of immigration. Perhaps in the northern part they had almost too much rain and it is possible that the rush into that portion of Alberta has not been as great as in the southern part. It seems to be rather extraordinary that hon. gentlemen opposite should take the 1901 census as a standard and assume that as the white population has increased four times the increase has been evenly distributed throughout the whole of that country. I think from the figures which have been presented to this House it may be taken for granted that the population has not gone evenly through that country, because we find this peculiar circumstance that while from the figures which the right hon. Prime Minister gave to us it is found that the population of 1901 was 17 per cent greater in the northern part of the old province of Alberta than it was in the southern part. We find that the votes registered were 23 per cent greater in the southern part than they were in the northern part. How is this discrepancy which makes a change of nearly 40 per cent to be accounted for, unless the minister wishes to argue that a greater proportion of the new comers in the north than in the south have been aliens and are not yet naturalized.

Mr. PETER TALBOT. I wish to draw the attention of the committee to some features of this amendment which has been proposed by the leader of the opposition. Our friends opposite have been trying to make us believe that they are so extremely just that no unfairness would be done if their amendment were carried. Let me point out a few facts and make a few comparisons. It is proposed by this amendment that that district of Alberta should have five local seats and the district of Edmonton six local seats. The vote cast last November in the Alberta district was 3,433 which for five seats would give an average of 686 votes to each. The vote cast last November in the district of Edmonton was 5,061 which for six local seats would give 843 each. We see that each of the local constituencies in Edmonton would have 843 votes while each of the Alberta local constituencies would have 686. This discrepancy will be more striking when you compare the rural constituencies of Alberta and Strathcona. The amendment proposes that Alberta should have five local constituencies and Strathcona six. The vote in Alberta last November was 3,432 or 686 for each of the five local constituencies. The vote in Strathcona was 5,871 or 978 votes for each of the six local constituencies, and yet that is the proposition of these gentlemen opposite who tell us they are so fair and so just that they would give each constituency its fair representation. I want to say to this committee that if there is any part of Alberta that is going to be underrepresented it is the constituency of Strathcona, for there is not a shadow of a doubt in the mind of anybody who knows the Northwest that it is by far the most populous district in the proposed provinces. Of that I can cite many proofs. Let us make another comparison. In the Alberta constituency there are 59 organized school districts and in Strathcona which I have the honour to represent there are 245. Each of the local constituencies in Alberta would have 12 school districts while each of the local constituencies in Strathcona would have 41.

Mr. LALOR. What is the average attendance in these school districts ?

Mr. PETER TALBOT. I do not know exactly.

Mr. LALOR. It is an important part of your argument to know that.

Mr. PETER TALBOT. I know from the figures given last night by the Prime Minister that the aggregate school attendance north of Red Deer is greater than it is south of Red Deer.

Mr. LALOR. Is that merely an assertion or have you facts to base it on ?

Mr. PETER TALBOT. I base it on the official figures obtained by the Prime Minister from the commissioner of education for the Northwest Territories at Regina.

Some hon. MEMBERS. Hear, hear.

Mr. INGRAM. Could the right hon. gentleman not ascertain the number of pupils attending these schools.

Sir WILFRID LAURIER. Which schools?

Mr. INGRAM. The schools the hon. gentleman (Mr. Peter Talbot) has referred to.

Sir WILFRID LAURIER. I was not asked to get that information. I was asked to get the school attendance north and south of Red Deer and I got it and gave the official figures.

Mr. INGRAM. Are these the schools the hon. gentleman (Mr. Peter Talbot) referred to ?

Sir WILFRID LAURIER. The figures given by my hon. friend (Mr. Peter Talbot) are part of the figures I gave yesterday.

Some hon. MEMBERS. Hear, hear.

Mr. INGRAM. It is all very well to say 'hear, hear,' but will any gentleman opposite from the Prime Minister down pretend to say that the figures as to the pupils attending schools in Alberta have been submitted to this House ?

Sir WILFRID LAURIER. Yes.

Mr. INGRAM. North and south ?

Sir WILFRID LAURIER. Yes.

Mr. INGRAM. I would like to see them ; let us have them again.

Mr. BARKER. Will the hon. gentleman (Mr. Peter Talbot) wait a moment until we get these figures.

Sir WILFRID LAURIER. Look at 'Hansard' and you will see them.

Mr. PETER TALBOT. Let me draw the attention of the committee to some other facts. All of us from the west know that the southern part of Alberta is chiefly a ranching country and is thinly settled. The records of the Department of the Interior show that north of township 38 there are 51 ranching leases and south of township 38 there are 408 ranching leases, many of them covering very large areas—a ranch is a lease of land from the government to stock raisers. The area under lease north of township 38 is 11,520 acres ; the area under lease south of township 38 is 1,550,720. North of township 38 applications for leases are in for 54,400 acres ; south of township 38 applications are in for 5,514,560 acres, and the men who make applications for these leases base their claims upon the fact that this land is not agricultural land and is fit for nothing but pasture. Now, if this amendment were carried we would have south of Red Deer 14 constituencies and north of Red Deer 11 constituencies. We would have practically the distribution that was made by the territorial government in 1902. I maintain that that distribution was an unfair distribution, and I can prove it by the vote that was taken in these constituencies a month after the distribution was made. An evening or two ago I gave certain figures purporting to bear on that, but unfortunately there were some mistakes in these figures; fortunately for myself the mistakes were made on both sides of the account, and I would like to correct the figures now and give them as I have taken them from the records of the territorial government.

In 1902 the territorial government divided Alberta into fifteen constituencies. Nine of these were south of Red Deer and six north. Those south of Red Deer, with the vote that was given at the election immediately following, were as follows: Banff, 364; East Calgary, 784; West Calgary, 621; Cardston, 285; High River, 358; Innisfail, 433; Macleod, 676; Lethbridge, 489; Medicine Hat, 691 ; making a total vote for the nine constituencies of the south 4,701, or an average of 522. The six constituencies north of Red Deer were as follows: Edmonton, 1,105; St. Albert, 570; Victoria, 641; Strathcona, 645 ; Lacombe, 871 ; Wetaskiwin, no vote ; the member being elected by acclamation ; a total vote of 3,832, or an average of 766. If hon. gentlemen opposite will say that was a fair and just distribution, I maintain that it was not. I am aware that there was no motion of censure made in the legislative assembly of Regina in regard to that distribution, because that would result in no good, but the people in the north, of whom I was one, were certainly dissatisfied. Now, under the schedule which we have prepared, which I think I can prove to be eminently fair to all parties, the following would be the result. South of Red Deer there would be a rural vote of 8,380, and north of Red Deer, 8,220, an average for the 10 constituencies south of Red Deer of 838, and an average for the 10 constituencies north of Red Deer of 822, and the Red Deer constituency with 843. I maintain that the old part of Alberta is divided by the schedule as fairly as it can possibly be done. The only portion in regard to which any one could have reason to find fault is the added portion of the district of Athabaska. Now, I did not consent that Athabaska should be divided into two constituencies without giving the matter grave thought. I considered the immense area of that district. The proposed constituency of Athabaska will be nearly 150 miles one way and 300 miles the other way. During the past few years it has attracted an immense number of people. They may not stay there all the time, but they go and trade and make money there. Many of the wealthiest men in the northern part of Alberta have made their fortunes in that very portion of the country, and we all know that in the southwestern portion of Athabaska, in the valley of Peace River, there is a fertile country. I have

talked with many men who have spent months and years in that locality, and they describe the grand prairie of the Peace River country as one of the most fertile spots in the Northwest Territories.

Mr. W. WRIGHT. Did I understand the hon. gentleman to say that the people who have traded there and made money are now residents of Alberta ?

Mr. PETER TALBOT. Some of those who made considerable fortunes up there are now residents of Edmonton, Calgary and other places in southern Alberta. I gave some information the other evening relating to that portion of the country. I believed at the time, and I believe yet, that the information was correct. I received it from a gentleman whom I have known for twelve or thirteen years, almost ever since I went to the Northwest Territories, a gentleman who has for several years traded along the Athabaska River and the Peace River, and who has seen the mills and the schools and the churches there.

Mr. INGRAM. Would the hon. gentleman object to stating who the man is?

Mr. PETER TALBOT. Certainly not. He is a member of one of the most prominent Conservative families in the valley of the St. Lawrence in Ontario. His name is F. W. Breden, a nephew of Lt.-Col. Breden, a very prominent Conservative. Mr. Breden gave me the following information respecting that portion of the country. The proposed constituency of Athabaska has twenty-four stores, thirteen churches, eight schools, four saw mills, three shingle mills, two planing mills, one flour mill, seven steamboats and three Northwest Mounted Police posts. The proposed Peace River constituency has eighteen stores, ten churches, six schools, four saw mills, five shingle mills, three planing mills, five flour mills (one of them a fifty-barrel roller mill and four stone mills), three steamboats, one Northwest Mounted Police post and three steam threshers.

Mr. INGRAM. Is the hon. gentleman quite sure all these are to be found in the territories he speaks of, or any of them in British Columbia ?

Mr. PETER TALBOT. I have only the information Mr. Breden gave me. Of course, there is a population in British Columbia which is close to the Peace River, but I have never heard of any farming operations being carried on there. I have seen grain grown in the Peace River country of good quality

Mr. INGRAM. Nobody disputes that, but there is little of it.

Mr. PETER TALBOT. If there was so little grain there, they would not take into the locality three steam threshers.

Mr. INGRAM. What proof have you of the three steam threshers ?

Mr. PETER TALBOT. My friend's word.

Mr. BARKER. The government reports do not show anything of that kind ; they show the opposite.

Mr. PETER TALBOT. We can hardly accept the government reports from that new country as being very complete. I know localities where, at the time of the census, there was not a single individual, and where there are now thriving towns and settlements.

Mr. BARKER. We have government reports up to 1903.

Mr. PETER TALBOT. I know places where, in 1903, there was scarcely anybody, and now there are large settlements. Take the Barr colony, take Vagreville, go all through my constituency on the Canadian Northern Railway, take the proposed line of the Canadian Pacific Railway from Wetaskiwin east, now laying rails on the first fifty miles, take also the line followed by the same company from Lacombe east, with rails laid for the first fifty miles—we have hundreds of settlers coming into that country a hundred miles ahead of the railway. There is the difference between our northern country and the southern country. In the southern country the railways precede settlement ; in the northern part, in the agricultural part of the country, settlers precede the railway.

Mr. BARKER. Does the hon. gentleman not know that the government reports prepared in 1904 include the whole of 1903, and are so minute that they give the actual names of the farmers ?

Mr. PETER TALBOT. I want to say that if any portion of the proposed province of Alberta is going to be under represented, it is the constituency that I have the honour to represent. That constituency is 200 miles wide and some 300 miles long, four railways are being built at the present time throughout its length, and it is known all over the country as the part which has the largest stretches of fertile land in the world. If we were to look forward at all and pay any attention to what we may expect in the future, we should have far more representation in the north than we are getting by this schedule.

Mr. INGRAM. The hon. member for Strathcona says that if there is any constituency that suffers by reason of insufficient representation, it is Strathcona.

Mr. PETER TALBOT. I mean that if there is any portion of the province of Alberta that is not receiving as large a representation under this schedule as it should, it is certainly the district of Strathcona.

Mr. INGRAM. Now, the hon. gentleman has staked his word on that. Has the hon. gentleman no confidence in his friends in the southern part of the province of Alberta, and does he think that if he stated the case to them candidly they would not grant him more representation ? He has never given his friends in the south an opportunity to express themselves ; he has no faith in them. But what did the hon. gentleman do ? First, like a detective who was determined to fasten the crime on a suspected criminal, he says : We must have two constituencies in Athabaska, we must cut that in two. Next, like a detective with a supposed criminal, he had to make his schedules figure out 23 constituencies, giving two additional ones to the north ; and by that means he would get 13 north of Red Deer and 12 south, thus capturing the government seat. That is the whole thing—just like a detective fastening the crime on the criminal, innocent or guilty. For the last two years in this House hon. gentlemen on this side have been advocating local autonomy for the North-west Territories, which, however, the government refused on the ground of scarcity of population. But to-day we find them giving over-representation to a thinly populated district, and under-representation to a more populous district. The hon. gentleman has told us about a friend who furnished him with certain information with respect to what has been found in Athabaska and the Peace River. He does not know this of his own knowledge.

Mr. PETER TALBOT. I did not say I did. I explained where I got it. I said I could not prove it, but believed it to be true.

Mr. INGRAM. As I said before, the detective is determined to fasten the crime on the supposed criminal, and is prepared to accept hearsay evidence that will prove his case.

Mr. PETER TALBOT. Who else would a detective fasten the crime on but the criminal ?

Mr. INGRAM. Now, on this side of the House we want a little more substantial evidence than has been furnished. It has been stated that there were some 3,000 white settlers went into that country recently. Where is the record of that ? Here is an official document furnished to us by the government, that is better than any hearsay evidence, because the government must assume the responsibility for the documents they issue to parliament. I find, according to this map, the hon. gentleman has claimed more of the homestead entries for Battleford than that portion of Alberta is entitled to.

Mr. PETER TALBOT. But hon. gentlemen opposite do not give us any.

Mr. INGRAM. I have here the figures prepared by the hon. gentlemen on this side. Now the homestead entries I have here for 1902-3 north of township 38——

Mr. PETER TALBOT. But we want you to go back of 1902-3 and give all the homestead entries or none.

Mr. INGRAM. Does the hon. gentleman want to go back to 1891 ?

Mr. PETER TALBOT. I want to go back to the time when the land officers were established, taking all the homestead entries granted in the province of Alberta. Now, there is the square thing.

Mr. INGRAM. If the hon. gentleman (Mr. Peter Talbot) will give us the entries up to 1903, we can add the rest.

Mr. PETER TALBOT. I will gladly furnish the information I have. In the Edmonton land office there have been 18,773 homesteads up to 31st March, 1905.

Mr. INGRAM. Since when ?

Mr. PETER TALBOT. Since the Edmonton land office was established.

Mr. INGRAM. When was that ?

Mr. PETER TALBOT. I do not know exactly we are both in the same fix there. In Beaver Lake land office there were 436 entries. In Battleford land office we claim a certain portion of the total, say 1,243.

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

Mr. PETER TALBOT. One-fourth.

Mr. R. L. BORDEN. On what basis is that ?

Mr. PETER TALBOT. On the proportion of the Battleford land district that extends into the present province of Alberta.

Mr. R. L. BORDEN. Is it based on the proportion of the surveyed townships ?

Mr. PETER TALBOT. It is based on the part of the district that we know is settled.

Mr. R. L. BORDEN. In area, or by surveyed townships ?

Mr. PETER TALBOT. In area. I merely glanced at the map, and supposed it would be one quarter. I know it is all taken up. The government have had to appoint an inspector at Lloydminster.

Mr. M. S. McCARTHY. Is it taken up to the 4th meridian on the eastern boundary of the hon. gentleman's constituency ?

Mr. PETER TALBOT. A good deal of it is. The settlement extends on both sides of the town of Lloydminster which is on the 4th initial meridian. Then, I have taken half the Red Deer entries, 4,630. This will make the total number of homestead entries north of Red Deer, 25,432. In

the Calgary land office there were 12,278 homestead entries, in Lethbridge, 7,895; in Red Deer—taking half—4,630, a total of 24,803 south of Red Deer.

Mr. M. S. McCARTHY. Did the hon. gentleman take anything out of the constituency of Edmonton by reason of part of it being east of the 4th meridian ?

Mr. PETER TALBOT. I did not.

Mr. M. S. McCARTHY. The hon. gentleman knows that there are some there.

Mr. PETER TALBOT. I am not sure. I have a good map of my own constituency, but I did not bother with Edmonton. I did not count the spoiled and rejected ballots in the Edmonton district.

Mr. R. L. BORDEN. What has that to do with the homestead entries ?

Mr. PETER TALBOT. It has to do with another question to which the hon. member for Calgary referred ?

Mr. INGRAM. The hon. gentleman (Mr. Peter Talbot) has spoken of homestead entries. Will he state what percentage of entries there were north of township 38 and south of township 38 outside of the entries he claimed should be counted for Battleford ?

Mr. PETER TALBOT. The whole of Battleford land district is north of township 38.

Mr. INGRAM. But the hon. gentleman must know, if he desires to be fair, that a very small portion of Battleford is in Alberta, the greater part being in Saskatchewan.

Mr. PETER TALBOT. The number I took for Battleford was one-quarter of the whole, or 1,243.

Mr. INGRAM. Did the hon. gentleman think that fair ?

Mr. PETER TALBOT. Just about. The land there is being all taken up : Lloydminster is on the line, and the land office is at the very centre of settlement; and we know that about 6,000 entries have been made in that locality.

Mr. INGRAM. Here is a map which shows the state of affairs, and which hon. gentlemen can see plainly. Now, admitting the hon. gentleman's argument that the homestead entries made in Alberta north of township 38 should be included—and that is quite fair—still this map shows that there is a very small portion of that district in Alberta to which that argument could apply.

Mr. PETER TALBOT. None of the Battleford land district is south of township 38.

Mr. INGRAM. If this map furnished by the government is a correct record, then I will stake my word that the hon. gentleman is mistaken.

Mr. LAMONT. Will the hon. gentleman state that there is a single homestead entry in that portion of the Battleford district forming part of Strathcona electoral district south of township 38 ?

Mr. INGRAM. Does the hon. gentleman say there is not ?

Mr. LAMONT. I am asking the hon. gentleman if he will say there is.

Mr. INGRAM. The hon. gentleman will not say there is a homestead entry even in Saskatchewan.

Mr. LAMONT. No, I cannot because even since last spring the settlers are pushing in there in great numbers.

Mr. INGRAM. According to this record there are homestead entries south of 38 on the Alberta side alone.

Mr. PETER TALBOT. Are they in the Battleford land district ?

Mr. INGRAM. I will also make the statement that in the Battleford district there are if these buff figures are correct.

Mr. LAMONT. Are these homestead entries in the Strathcona electoral districts ? There are such entries immediately south of Battleford.

Mr. INGRAM. The Strathcona district is away off here opposite Red Deer on the Alberta side.

Mr. LAMONT. The point my hon. friend is making, if he is making a point at all, is that in the figures given by the member for Strathcona wherein he is only allowing a certain number, 1,000 and some odd homestead entries for that portion of the Battleford land district lying west of the boundary line are unfair because some of these homesteads may be south of township 38 and should be counted in the south, but he will not say that as a matter of fact any do lie south of township 38.

Mr. INGRAM. I do not understand that Strathcona is the question at all. As far as I am giving the figures here Red Deer is opposite the place I am speaking of and below township 38 there are the buff coloured townships.

Mr. SCOTT. What land district are the buff coloured townships in ?

Mr. INGRAM. In Battleford, that portion of Battleford that belongs to Alberta. The Minister of Justice read some figures to prove the population by the number of settlers. He said that from April 1, 1901, to July 1, 1901, there were 12,213, 1901-2, 44,020; and 1903-4, 73,957, making a total of 240,590 of population. Adding that all up with the population according to the census I understood the hon. gentleman to

say that the country had something like 500,000 population at the first of July this year. I presume in making that estimate the Minister of Justice was counting all the so called 3,000 white settlers who had gone into the west for whom my hon. friends are figuring representation. That is not very satisfactory as far as the country in the Athabaska and Peace River is concerned. If the government are satisfied to give fair and adequate representation to Athabaska or to that portion of Athabaska which is cut in two to give representation in this provincial legislature, which we are agreed to there would be no difficulty as I understand in connection with this schedule, but the whole thing hinges on that and that is where the unfairness comes in and what hon. gentlemen on this side are complaining of.

Mr. M. S. McCARTHY. In making up the estimate of the vote cast in Strathcona, no doubt there has been included a considerable number of voters who do not now reside in Alberta. There are in the constituency of Strathcona alone, over 50 townships which now lie east to the 4th meridian, and these have not been eliminated from the total vote cast. If the vote was so much in that neighbourhood a large portion of it should be eliminated. The same thing applies to the constituency of Edmonton in the northeast part of that district. That is not now in the province of Alberta. I would ask the member for Strathcona (Mr. Peter Talbot) as he must have some local knowledge how far on an air line would the southern part of the constituency of Peace River or Athabaska be to the end of railway construction.

Mr. PETER TALBOT. I cannot give the information but I think you could tell from the map.

Mr. M. S. McCARTHY. I figure it that the nearest route to Athabaska from the end of railway construction would be 125 miles, and to the northern limit of the riding it would be in the neighbourhood of 500 miles. In the constituency of Peace River these figures would be increased as they are in a nearly westerly direction from Edmonton to the end of railway construction. Comparisons have been made and I would like the hon. gentleman in these comparisons to point out any constituency which has representation in any of the local houses where there are no lines of communication nearer to them than upwards of 125 miles. That I think is sufficient evidence of the state of settlement in those districts. The hon. member for Strathcona has made the statement that in his constituency there is much more settlement and much more desirable farming land than in any other part of the Territories ; that the constituencies to the south are exclusively ranching constituencies.

Mr. PETER TALBOT. Mainly.

Mr. M. S. McCARTHY. The member for Alberta last night gave a comparison of the yield of the different grains per acre and it was found from that as has been shown in the geography published by the Department of the Interior that the yield in the south was greater per acre than in the north. It is generally accepted in this country that because originally the people in the southern and central part of Alberta preferred to devote their time to what was more profitable, the cattle industry, it was not a farming country, but if they would look to the records of the department they would find on either side of the city of Calgary, for instance, that great improvements have occurred, that grain is being grown and perhaps larger yields per acre can be shown than in any other part of the Northwest Territories. I have letters here which I will not take up the time of the committee reading to show exactly what these yields were, where the yields were and they were to be found on every side of the city of Calgary. The constituency of Calgary is as well adapted to farming as the constituency represented by the hon. gentleman opposite. That hon. gentleman also says that there is no thick settlement in the Calgary district, that the ranches consist of a very great area, but I would point out to him that in Lethbridge and Cardston there is a huge irrigation scheme known as the Galt Irrigation scheme or the Great Northwestern Irrigation scheme comprising 1,500,000 acres. The bulk of that land is all taken up. It is a thickly peopled portion of the country. Half a mile from the irrigation block there is the town of Raymond which last fall showed a voters' list of less than 200 and which to-day has a population of 2,800. Hon gentlemen opposite can show nothing in regard to northern constituencies which can compare with the irrigation block of the Great Northestern Company or which is capable of sustaining the same population within the same area. The same may also be said of the irrigation block of the Canadian Pacific Railway near Calgary which embraces 3,000,000 acres capable of sustaining a population of 120,000 people. Four hundred thousand acres of that have already been disposed of and half a million acres are to-day on the market. Therefore, I say that the argument which is made that there is no dense settlement in the south is not based upon facts. I referred some time ago to a map I had showing the thickly and sparsely settled townships in the southern and northerly parts of the country and it bears out what I say that there are more thickly settled townships in the southern part than in the northern part. The hon. gentleman refers to a gentleman who has given him certain information in regard to the conditions as they exist in the proposed district of Peace River—Mr. Breden, a mem-

ber of the fur trading firm of Breden & Cornwall, I presume, who has every faith in the future of that country, but if I wanted to, which I do not, I could quote reports which do not bear out all the statements of Mr. Breden and which are known to hon. members of this House. He also speaks of Grand Prairie which has an area of 60 x 20 miles, not one quarter of the area of the Canadian Pacific Railway irrigation block in the neighbourhood of Calgary. Will there be a denser population in the next six months in the Grand Prairie region which is, I suppose, 200 or 250 miles from the end of railway construction or right along the main line of the Canadian Pacific Railway in their irrigation block ? So I say the statements made by Mr. Breden are statements showing that he is too wrapped up in the future of that country to bear disinterested testimony. If it is such a grain producing country why has it not been developed ? I will not say anything detrimental to that country, but I will submit something which is in its favour. In 1876 grain which was grown at Fort Chippewyan at Athabaska Landing took first prize at the Philadelphia exhibition.

Mr. INGRAM. Grown in a garden.

Mr. M. S. McCARTHY. I do not know where it was grown but there it was. You can go through that country and pick out certain spots like Fort Vermilion and Grand Prairie which may be more favourable to the cultivation of grain than other localities are. Letters can be produced showing that there are conflicting reports in regard to that country. I think it can be established from the paper owned and published by the hon. Minister of the Interior that more grain wheat and flour are brought into Edmonton then shipped out. The supply is not sufficient for the local demand. If this is such a grain growing country surely that would not be the case. I think that if the hon. gentleman will read his own paper, published about 1901 when the Canadian Northern was built across the river, he will find that a record was kept for some time which will bear out what I say. We have been told about the number of steamboats in that country, but we have asked for a return for some information in regard to these steamboats. No record is kept of them by the government. They have two flour mills and they have saw mills but all those things which we have heard about to-night constitute no reason why they should have double the representation according to population that is given to southern constituencies. Look at what has occurred in the south since the last local distribution was made. Take Cardston, for instance, at which a beet root sugar industry has been established capitalized at $400,000 not a dollar of which stock can be bought to-day, take Pincher with its coal mines at Frank and at Carbon, take the Bankside Coal Mining Company where over $1,000,000 was spent in coal mining last year and take the coal mines at Canmore. Are Athabaska and Peace River, with their two mills and one-tenth the population entitled to have four times the representation that Pincher Creek or any of these other constituencies are going to have ? I would not take up the time of the House making these statements if the statement had not been made on the other side which would indicate that all the development since that distribution was made in 1902 has been in the northern part of the country. I simply make these observations with the view of showing that population has been flowing very rapidly into the southern part of the country and with the view of showing that these statements of the hon. minister in regard to the condition of the industries of that country in 1902 do not apply to-day.

Mr. PERLEY. The hon. Minister of the Interior and the hon. member for Strathcona gave us some figures a little while ago which purported to show that the amendment proposed by the hon. leader of the opposition was unfair to the north, and amongst other things they quoted the votes cast at the last election. It seems to me that it is very unfair to bring up the number of votes cast in the southern part of Alberta when it is known perfectly well what the reason was last fall why there was a smaller percentage of votes cast in the southern part than there was in the north. That fact does not prove that the voters were not there. I propose to show, from the figures given by the right hon. leader of the government, that the division between the north and south proposed by the leader of the opposition is absolutely fair. Under his proposition there would be 12 constituencies south of township 34. Under his proposition this mysterious line, township 38, is changed to township 34 and each of the 12 constituencies south of township 34 would have, according to the figures given by the right hon. leader of the government, 10,153 votes cast at the last election. The northern part of township 34 comes almost in the middle of the proposed constituency of Innisfail, so that I have taken the figures for the constituencies south of the middle line of Innisfail, with half of Innisfail and that makes 10,153 votes cast at the last election. The leader of the opposition suggests that they should be given 12 seats, which would give an average of 846 for each. Under the amendment there will be 13 seats north of line 34 and at the last election these 13 seats cast 10,810 votes to which I have added 300 votes which would presumably have been cast in Athabaska had there been an election there, thus making a total of 11,110 votes cast north of township 34 which for the 13 seats would give an average of 855 votes for each. The leader of the opposition proposes to the government a plan by which there will be 12 seats south of township 34 in which 10,153 votes were cast at the last electiton or an aver-

age of 846, and 13 seats north of township 34 which on the basis of the vote of last election would have an average of 855 each. I do not think any man who has the honour of being a member of this House will say that is not an absolutely fair division. But take the number of names on the voters' lists which we still contend is the true basis and that basis shows that the suggestion of the leader of the opposition is very partial to the north, because on the voters' lists last autumn there were 15,287 names on the list south of township 34—I have put in one-half of Innisfail—and north of township 34 there were 14,663 names on the list to which I have added 342 votes which it is to be assumed would be in Athabaska according to the Prime Minister's figures, making a total of 15,005 names on the lists north of township 34. The leader of the opposition proposes to give south of township 34, 12 seats, each having an average of 1,274 names on the list, and north of 34, 13 seats each having an average of only 1,154 names on the list. The plan of the leader of the opposition would give to the north an average of 120 votes less per seat than in the south. That is proof positive that we are simply suggesting a plan that would give fair-play both to the north and to the south. Now, the government proposes to give seven seats in the extreme north each of which has an average of 892 names on the voters' lists, while they put seven seats in the south each of which has an average of 1,540 names on the list. As against that the leader of the opposition's plan is to have 12 seats south of township 34 with an average of 1,274 and 13 seats north of township 34 with an average of 1,154 on the list. These figures ought to show the justice of our plan to any independent man. I have endeavoured to make these calculations as carefully as possible from the figures given by the government, and I have shown that the plan proposed by the leader of the opposition can in no sense be said to favour the south, but on the contrary it is partial to the north to a slight extent because it gives one seat to Athabaska with an exceedingly small population.

Mr. SCOTT. Hon. gentlemen opposite in all the calculations they make apply a rule that never before was applied in Canada under similar circumstances. The calculations of the hon. gentleman (Mr. Perley) are based on a strict mathematical rule with regard to that new portion of Alberta which comprises fully one-half or more of the province. Was such a strict mathematical rule applied to Manitoba when she was brought into confederation ? No. Manitoba got four seats in this parliament when she had only a population of 17,000. Here in Athabaska we have a new portion of the province, unorganized, practically without the ordinary means of communication up to the present, but still a country where there has been considerable development already. To such a country hon. gentlemen opposite seek to apply this strict mathematical rule. What was done in 1887 when the Northwest Territories were given representation in this parliament ? Was the same mathematical rule applied ? No, certainly not. The Territories got four members in this parliament at a time when the mathematical rule probably would not have permitted of more than two. And so with British Columbia when she was brought into confederation. British Columbia got six representatives in this parliament when I dare say the strict application of the mathematical rule would not have permitted one-half of that number. It seems to me that our friends (Mr. Oliver and Mr. Talbot) who are contending for adequate representation for that portion of Athabaska which is to be within the new province, ought to be surprised at their own moderation. If representation is to be given at all, it is absurd to propose to give a lesser representation than is provided for in these schedules, or to say that the vast Athabaska district watered by the Athabaska river should have less than one member, and that the vast Peace River district watered by the Peace River should have less than one member.

Mr. PERLEY. When this parliament was giving federal representation to the Northwest Territories, it was dealing with its own business, and it could do what it liked. If Alberta were a province and she wished to give undue proportionate representation to any part of that province, it would be her own business. But this is not a matter for ourselves, it is a matter that has been forced upon us on account of the conditions existing, and I ask my hon. friend in all fairness whether in view of the contentions between the north and south we can proceed to make this division in any fairer way than by applying what he calls the mathematical rule as nearly as we can in reason.

Mr. SCOTT. What is the main question in this discussion ; is it the question of the capital of Alberta ?

Mr. PERLEY. That is not the main question with me ; my chief object is to try and make fair divisions. I am told there is a dispute as to whether the capital shall be north or south——

Mr. SCOTT. What other contentions could there be between north and south ; is not that the whole question ?

Mr. PERLEY. That may be so, but that is not a question which we should take sides on. If the province of Alberta had her own legislature and she chose to divide and give undue proportion to the northern area that is her own business exactly as it was our business, when in distributing the constituencies for the Dominion we chose to give the Northwest an undue proportion.

Mr. SCOTT. Not an undue proportion ; a fair proportion.

Mr. PERLEY. Well, perhaps I should have said a larger proportionate representation according to population than other parts of the country. It was our own business then, but in this case we are simply trying to set the machinery in motion for these new provinces, and I think it is beneath the dignity of this parliament to take sides against one part or the other part of these new provinces. The case cited by my hon. friend (Mr. Scott) is another matter altogether. In that case we were providing seats for our own parliament ; in this case we are legislating for provincial constituencies, and I submit that in all fairness as between the different sections of that country, and in order to make the people satisfied and happy, we ought as nearly as possible give every man the same power in voting at this first provincial election. Afterwards the province can divide the constituencies as it thinks fit, and I shall be quite content. I ask whether it is right that this parliament should apparently—and I cannot see any other object in it—take sides with the north as against the south in this matter.

Mr. SCOTT. No. I contend that this parliament is under full responsibility to do the fair thing in the premises, and I think that to do anything less for more than half the area of the province, the district of Athabaska, would not be doing the fair thing. My hon. friend admits that the whole matter hinges on the question of the capital. If he looks at the map, he will find that the centre of the province is 100 miles north of Edmonton. Yet our friends in the south are contending that they should have the privilege, while they compose perhaps nearly half the population of fixing the capital far south of the centre. Mainly because that is the question, I say it is the duty of this parliament to see that fair-play is granted to the northern portion of the province.

Mr. BARKER. Does my hon. friend contend that if the electorate of the province met to-day, they would grant two seats to Athabaska?

Mr. SCOTT. If the same rules of justice and fair-play prevailed in the legislature, they would.

Mr. BARKER. Does my hon. friend believe, without any ifs, that if the electorate of the proposed province met to-day, they would set apart two seats for Athabaska and twenty-three for the rest of the province?

Mr. SCOTT. I will tell my hon. friend what I do believe. If every man in Alberta were given the opportunity to vote on the question by a plebiscite, the capital would be placed at Edmonton.

Mr. BARKER. I am not talking about the capital. I am talking about the distribution of seats, and I ask the hon. gentleman, if the electorate of the proposed province met to-morrow, does he believe they would give two seats to Athabaska?

Mr. SCOTT. I think they would.

Mr. R. L. BORDEN. The hon. gentleman took a long time to screw his courage up to that point. The argument is really delicious in the mouths of the hon. gentlemen on the other side—because perhaps 2,000 people, or at the outside estimate 5,000, are scattered over a portion of Athabaska, they should have two members, although that is at least four or five times the proportion assigned to other parts of the province.

Mr. SCOTT. That is not the whole argument.

Mr. R. L. BORDEN. It is the main argument.

Mr. SCOTT. It is only half of it.

Mr. R. L. BORDEN. It is the best half of it.

Mr. SCOTT. This distribution is to prevail for four years, and we believe that before the end of those four years there will be a vast population in that part of the territory.

Mr. R. L. BORDEN. What reason is there to expect that it will develop more than the other parts?

Mr. SCOTT. Because there will be railroad construction.

Mr. R. L. BORDEN. There will be no railroad construction before there will be a redistribution for a general election.

Mr. SCOTT. I venture to prophesy that when that redistribution takes place, the legislature will not take away these two seats if they are granted now. On the contrary, I venture to say that that representation will be increased.

Mr. R. L. BORDEN. I do not propose to match my hon. friend in prophesying; he is much better at that than I am. If it is a good argument that because there is a large territory there should be this extraordinary representation, how does it happen that the hon. gentleman has been so blind to that consideration during the last nine years? The Northwest Territories, with a small population, it is true, but with an area exceeding all the rest of the Dominion of Canada two or three times over, according to the argument now put forward, should have been represented in this House by fifty or sixty members instead of four from 1896 to 1900, and from 1900 to 1904 ; yet I never heard the hon. gentleman or any of the other members from the Northwest Territories advance any such argument during the time I have been in this House.

They seem, during those years, to have been strangely forgetful of this consideration, and of the rights of the people in this unorganized territory. We are now awake to the fact that this handful of people Arthabaska should be represented in the provincial parliament. Why during the past eight or nine years have they not been represented in either the Dominion parliament or the local legislature; and why have no murmurs ever been heard from any of these earnest and sincere gentlemen in the Northwest Territories. On a sudden the government and the members from the Northwest Territories have awakened to the extreme necessity of giving not only adequate representation but four times the adequate representation to the people of that district. It seems a remarkable circumstance, and rather gives colour to the idea that it was not after all a case of seeking a principle and applying it, but a case of applying a gerrymander to this province and endeavouring by hook or by crook to find a principle that would sustain it; and that principle has not been discovered up to the present time. I understand that the hon. member for Strathcona (Mr. Peter Talbot) made some observations, which I had not the pleasure of hearing, with regard to my proposal, indicating that it rather shocked his sense of proportion. Let me tell him that if he takes the names on the list, which I esteem to be the truest guide in this case, he will find that there are in Alberta, with Medicine Hat, which is really part of it, 1,222 names for each proposed constituency in Calgary, 1,325; in Strathcona, 1,464; and in Edmonton, 1,124. If you group them in two divisions, north and south, instead of four, you will find the average in the north 1,292. In no case is there an excess between the average and the highest or the lowest of more than 18 per cent. And yet the hon. gentleman, who is shocked at this disproportion, is perfectly infatuated with a proposal by which there shall be a difference of 300 per cent between the representation of this unorganized territory and the representation of the rest of the province. Can my hon. friend stand up under the burden of that disproportion when he is so much shocked at the others? I almost expect him to retire from the chamber when he realizes the full iniquity of his proposition. A difference of 10 or 15 per cent is dreadful, unheard of, shocking, and shows inconsistency, but a disproportion of 300 per cent is absolutely proper and right, and thoroughly consistent with a due regard to population—that, as I understand it, is the proposition of my hon. friend from Strathcona. It is about as logical and near the mark as any of the propositions which have been put forward on the other side of the House. Alberta, with Medicine Hat and Calgary, have a population of 14,687, and Strathcona and Edmonton, 14,263; or taking them by the votes cast, Alberta with Medicine Hat and Calgary have 10,209, and Strathcona and Edmonton, 11,028. These are ridiculous and absurd disproportions in the eyes of the hon. gentleman, but a representation of two members for 5,000 people at the outside, which is probably double the actual amount, as compared with a representation of one member for 10,000 throughout the rest of the province, is perfectly proper and desirable, and shows a due regard for every sense of proportion which my hon. friend so eminently possesses.

Mr. SCOTT. The memory of the hon. leader of the opposition is, I think, singularly short. He says he has never heard any person from the Northwest Territories before this time urge the principle which we urge at the present moment in regard to this northern district. In 1903, when it became the duty of this House to redistribute the representation throughout Canada, including the Northwest, we contended for this principle with success, and I am glad to say that the members of the opposition agreed with our proposition.

Mr. R. L. BORDEN. Can the hon. gentleman point out one line to that effect in the debates of this House?

Mr. SCOTT. I am pointing out that the figures of the census only entitled the Northwest Territories to six seats in this House. We contended that on this principle we ought to be treated specially, and we were treated specially.

Mr. LAKE. On the principle of prospective population, we would now be entitled to get twenty members.

Mr. SCOTT. It was partly on prospective population that we based our contention with regard to the Territories in 1903, and it is the same principle we ask the House now to apply with regard to Peace River and Athabaska.

Mr. R. L. BORDEN. Was not the redistribution of 1903 rather upon the principle that we had full power with regard to the Northwest Territories, that we were not restricted in any way? Although the census of 1901 showed a population of only 159,000, nevertheless we knew that population had been pouring into that country faster than into any other part of Canada, and it was assumed that the population of that country was at that time about 250,000, and upon that basis it got ten members.

Mr. SCOTT. The principle upon which the House proceeded in that redistribution was the very principle for which we are contending now. The population there is increasing much faster than in any other portion of Canada. Of course, action could not have been taken if the House had not

full discretion. The House has power to do in this case what it did in the case of the Northwest Territories two years ago.

Mr. R. L. BORDEN. Does the hon. gentleman argue that this undeveloped district is increasing more rapidly than the developed district ?

Mr. SCOTT. I think that three or four years hence the population of those districts may be three-fold what it is to-day. We may reasonably expect that the population of these far-away districts may increase much faster than it can be expected to increase in the older portions of Alberta.

Mr. R. L. BORDEN. That is entirely a matter of opinion, and the legislature can deal with those conditions when they arise. We are now dealing with present conditions, as we dealt with them in 1903, namely, that population had been pouring into the Northwest Territories for years more rapidly than into any other part of Canada ; and although the census showed a population of 159,000 in 1901, we had good grounds for believing that at that time there was a population of 250,000, which would entitle the Territories to the ten members they received. But as to any argument that the Northwest Territories were entitled to these because of their area, I never heard of it, and I do not think the hon. gentleman did.

Mr. SCOTT. Upon what principle were the four members granted to the Territories in 1887, and the four members to Manitoba in 1870, and six to British Columbia about the same time ?

Mr. R. L. BORDEN. It certainly was not upon any principle of area.

Mr. SCOTT. It certainly was.

Mr. R. L. BORDEN. Where does that appear ?

Mr. SCOTT. In all these cases the reason was partly area.

Mr. R. L. BORDEN. Can the hon. gentleman cite anything to show that ?

Mr. SCOTT. What other reason could there have been ? There was only 17,000 population in Manitoba in 1870.

Mr. R. L. BORDEN. Area was never taken into consideration in the distribution of 1903, from first to last, so far as I am aware. I was on that committee, and attended every meeting. I debated nearly every constituency in Ontario, every one in the Northwest, every one in British Columbia, some in Nova Scotia and New Brunswick—I do not think I discussed any in Quebec, because that was settled by a conference between the Minister of Justice and my hon. friend from Jacques Cartier (Mr. Monk). But I do not think any member of that committee would venture the assertion that from first to last the question of area was ever taken into consideration. I never heard the argument until during the debate yesterday and to-day ; it would have been laughed at if it had been put forward.

Mr. SCOTT. My hon. friend has failed to show the reasons which must have prevailed in the case of Manitoba in 1870, the Territories in 1887, and British Columbia when it was brought into the confederation. What other reasons prevailed, if area was not one ? There must have been some reason in addition to the claim upon population, because I repeat that Manitoba in 1870 had only 17,000, and it was given four seats, although it would scarcely have been entitled to one seat on the basis of population. What other calculation could have been made ?

Mr. R. L. BORDEN. I do not think, in the case of Manitoba, it could have been area, because there was one constituency in Ontario which was probably double the size of Manitoba at that time.

Mr. SCOTT. What other reason was there then ?

Mr. R. L. BORDEN. Well, the hon. gentleman can refer to the debates. In British Columbia, if area had been taken into consideration, the representation would have been very much more than the representation from Prince Edward Island. British Columbia has an area of over 300,000 square miles and Prince Edward Island an area of about 2,000 square miles. And yet the representation was about equal in the two provinces.

Mr. SCOTT. British Columbia did not have half that population in 1870.

Mr. R. L. BORDEN. That may be, but those provinces were free to make their own bargain.

Mr. SCOTT. The Territories made no bargain in 1887.

Mr. R. L. BORDEN. True, but surely he does not pretend that area was ever taken into consideration, otherwise the representation would have been enormous.

Mr. SCOTT. The committee is still in the dark about any other reason than area.

Mr. PERLEY. I think the representation to British Columbia was given as a condition to her entering the confederation.

Mr. SCOTT. Yes ; but the committee is still in the dark as to how the matter was arrived at if it was not on the basis of area as well as population. The hon. gentleman has not disproved my statement.

Mr. R. L. BORDEN. I do not know that I am obliged to take for granted everything the hon. gentleman says unless some one disproves it. He states something, and, unless some one disproves it, says it must be

accepted as true, though it is a mere matter of opinion. Well, my hon. friend (Mr. Scott) is attaching a very high value to his opinions. I have asked him to find anything in the debates or negotiations in any case which showed that area was taken into consideration. I say I do not recollect any such thing.

Mr. PATERSON. I fancy that would be found in the case of British Columbia. They had nothing like the population to warrant the number of representatives given to them.

Mr. R. L. BORDEN. They came in on agreement, and we had not the settling of it. We had to make our bargain with British Columbia, as we did with Prince Edward Island. I think these are not apt illustrations.

Mr. INGRAM. I believe we are all agreed that there should be 25 representatives to each province. No one disputes that, so far as I know. The estimate of population up to the present time is 406,145 for the two provinces. The Minister of Justice estimates that on July 1, there will be 500,000, and we do not dispute that assumption. But the object of this provision, as has been stated, is to provide for the election of the first legislative assembly of the province. If after their election, they choose to redistribute these seats themselves, they can do so, and can dissolve and have an election immediately. Or they can effect the redistribution and have the election later. A redistribution for this House took place in 1893, but the election did not take place until 1896. We had another redistribution in 1902, and an election in 1904. In each case the redistribution took place on the population as it was known to be. But in this case hon. gentlemen opposite are trying to convince us that the redistribution should take account of the probable distribution of population for years hence.

Mr. SCOTT. Why was it that in the last redistribution for this House, the northern portion of this territory, particularly the eastern section, was given a much larger representation than would have been justified by a strict application of the census figures?

Mr. INGRAM. We did that for this parliament which we control. It was our right and our duty.

Mr. SCOTT. The hon. gentleman (Mr. Ingram) will permit me to tell him that it was by agreement with his leader (Mr. R. L. Borden) and it was in view of the larger population likely to go into that country on account of railway development.

Mr. R. L. BORDEN. If the hon. gentleman (Mr. Scott) makes that assertion, I suppose he remembers about it; but I am bound to say that I do not think it was brought to my attention in that way.

Mr. SCOTT. The greater representation was given. What other reason could there have been for it?

Mr. R. L. BORDEN. My recollection is that we had to delimit ten constituencies. Gentlemen from the Territories met together and they gave us these boundaries, and I understood it was granted as fair distribution of population.

Mr. SCOTT. There were Conservative representatives who agreed to these boundaries. On what principle could they have agreed except that which I have stated?

Mr. R. L. BORDEN. I know they agreed. But the hon. gentleman (Mr. Scott) has spoken of my adherence to a principle. I say that it is new to me, that I cannot recall it at the moment.

Mr. INGRAM. Suppose we did do that. We were doing something with regard to our own House. But we are not in the same condition in meeting a redistribution for the provincial House.

Mr. SCOTT. Surely, if we followed that principle then, we should follow it now?

Mr. INGRAM. But, we are distributing the seats for another legislature. If they do not like our work, they can redistribute and have another election.

Mr. SCOTT. People get tired of elections. They are tired of them in London.

Mr. PATERSON. Let them talk it out.

Mr. INGRAM. The Minister of Customs (Mr. Paterson) takes matters very coolly these days. But I can remember only a few years ago, when all you had to do was to say 'redistribution' and the hon. gentleman would start talking in a voice that, if the door were open could be heard in Montreal, denouncing the wickedness of the Tory redistribution.

Mr. PATERSON. I was only suggesting that the hon. member for Western Assiniboia (Mr. Scott) and the hon. member for East Elgin (Mr. Ingram) should take one of the committee rooms for their back-and-forth discussion and leave the rest of us to vote.

Mr. INGRAM. There was a time also when the hon. gentleman (Mr. Paterson) was strongly opposed to giving Indians the vote. He thinks now that the Indian is as good as a white man. He can hear redistribution discussed now with perfect good humour. With the hon. gentleman it depends on whose ox is gored. There was a time when he would not have been satisfied with the information that has been laid before the House in support of a redistribution.

Mr. PATERSON. I am quite satisfied.

Mr. INGRAM. Yes, the hon. gentleman is satisfied, because it is not his ox that, is

being gored. I can remember the time when he would not have justified this.

Mr. PATERSON. I thought the hon. gentleman (Mr. Ingram) was not in the House at that time.

Mr. INGRAM. I have been in the House when the hon. gentleman has held forth on this subject very often. If there was anything in which the hon. gentleman really shone, it was in his denunciations of what he called the outrageous gerrymander of the Tory party. The hon. gentleman says I was not in the House. But it was not necessary to be in the House to hear him—I knew people in Montreal who heard him, when he was talking in this House. The hon. gentleman remembers that quite well. I heard him and heard of him in one rural constituency not very far away and not very long ago but he took very good care not to say anything about these schedules. He was not discussing the Autonomy Bill on that line but on another line altogether. He takes good care not to discuss the redistribution made by his own party in this House. The hon. gentleman has swallowed himself on provincial rights the same as he has on redistribution, and I hope my hon. friend will get up before this debate closes and give us his views.

Mr. W. J. ROCHE. It is refreshing to hear the member for West Assiniboia and some of his colleagues when they cannot justify this redistribution on population, fall back on other grounds. The hon. member says that we should not allow that great Athabaska river to go unrepresented, that large area. Some other hon. gentlemen say we have so many grist mills, blacksmith shops, &c., and although they have not the population they want these industries represented and especially the great Athabaska river. They are willing to take population as a basis in the other parts, but in the north where they have not population they fall back on area, but if they are going to take area in the north and in the district of Athabaska in the new province of Alberta, why not apply the same principle in Saskatchewan? You are not giving any representation at all to the Athabaska portion of the new province of Saskatchewan, but two representatives to the Athabaska portion of Alberta. There is nothing fair about that. The minister states it has never been done before, the making of population the basis of redistribution. The hon. gentleman surely has not discarded the old-time doctrines of the Liberal party. I can recall three years ago when the Liberal party in Manitoba assembled in convention on the eve of a local election and passed a number of resolutions making their platform, and one of these was that in the distribution of seats for the local legislature particular importance should be attached to the good old Liberal doctrine of representation by population, and while the Minister of the Interior places little importance on that question and says it is only a subsidiary reason we have had no evidence as to the population in this portion of Athabaska. It has been stated by the Minister of the Interior that some one told him it was about 5,000. According to the last census we had 241 whites. This he would increase to 3,000 whites, and we still have not a scintilla of evidence to convince this side of the House, at any rate, that the population has increased to that extent. We are simply asked to take this gentleman's word that the population has increased to that extent. He cannot tell us how many half breeds are in the new district of Saskatchewan, and what proportion of the 3,000 whites in Athabaska is in each province. How then are we to adopt this schedule without more information? The minister seems to be satisfied, but we want some information when a glaring injustice is being perpetrated in giving this district two representatives. The minister has stated that if there was no question of capital there would not be any discussion on Athabaska. I will tell the premier that if Athabaska was situated in the southern portion of the district, with its large area, mills, &c., the hon. gentlemen on the other side of the House would consider it simply outrageous if the members on this side suggested the idea of having one, let alone two, representatives in that district. It is the hon. gentlemen who have the capital in their minds and desire to fix it beyond recall by legislation. The hon. members say we should anticipate population and the hon. member for Assiniboia states that in the redistribution here in 1903 that was done in the committee on the Northwest Territories. I listened to a great deal of the evidence and never heard one suggestion to that effect. It is true they did not take the census of 1901, but they assumed an increase of population from the taking of the census to the making of the redistribution and that is the way they reached the representation and not on the estimated population for the next four years. We have no reason to anticipate the population of that country. If we had we must apply it all around. We are not supposing that the southern part of the district is going to stand still and all population flock into the north. Hon. gentlemen say that railways are to be built, but it is pointed out that the nearest point, Edmonton, will be 125 miles to the southern part of Athabaska except in the Peace River country. If population comes in there that is not there now and we are willing to assume the population at the present time as a basis for redistribution, but probably we will have in six months' time a session of the provincial legislature, and these settlers who are now coming in along the line of railway will not have a vote until the next election. The

estimated population for the present is quite sufficient; that is all that has been considered in the past or that ought to be considered now. The objections urged to the redistribution are not confined to the members on this side. I shall quote from an editorial in a Liberal newspaper. This paper says:

> A present division is unfair, and the method adopted to decide upon the division is little short of iniquitous.

That is not the language of a member of parliament, but of a Liberal newspaper.

> Besides this the population has been increasing more rapidly in the south than in the north since the present territorial divisions were created. . . .
> The vote in the south district at the last election was very much larger than the vote in the north country, yet the greater representation is to be made in the north.

These are extracts to show that the opposition is not coming from the Conservative party alone but from the friends supporting the government. Even the hon. the leader of the government has admitted to-day in his argument that taking into consideration the population of Athabaska it is not entitled to any more than one representative at the most. He has admitted that, why does he not then take in the same area in connection with the other portions of the province? It is only when he comes into that portion of country where there is sufficient population, that he falls back on his argument of representing area and we never heard before that area was represented. I do not see why there should be any departure made on this occasion. The member for West Assiniboia (Mr. Scott) in order to bolster up the division that the member for Edmonton is said to have prepared for the government, has said that Edmonton is not the centre of the province, but that the centre would be 150 miles north of Edmonton. Does he not see what position he is placing his own province in? Where is Regina, north or south of Calgary? It is practically on a line with it.

Mr. SCOTT. Do not worry. Regina will take care of itself.

Mr. W. J. ROCHE. If Edmonton which is far north of Regina is not within 150 miles of the centre of the province how can Regina be in the centre, and how is it entitled to be the capital of the province? The hon. gentleman should not be so discriminating when taking that into consideration. He is quite willing to have Regina as the capital of the new province of Saskatchewan because it is his own city though it is about as far north and no farther than the city of Calgary. If there was a redistrubution made by any Conservative government, if Mr. Whitney, in Ontario, or Mr. Roblin, in Manitoba, were to pass a redistribution Bill by which they should cut a town in two and put half in one district and half in another would there not be a howl from hon. gentlemen on the other side of the House? We had evidence of that in the past. The right hon. leader of the government laid down sound basic principles by which he and his government were to be guided in the redistribution of 1903 one of which was adherence to municipal boundaries. If a municipality were to be divided it would be a departure from that principle, and now this Bill proposes that we shall not merely divide rural municipalities but that we shall cut a line through the centre of a town. Is the community of interest there preserved? Still these hon. gentlemen say there is nothing unfair in this at all and that it is perfectly acceptable. No doubt it is satisfactory to their friends who live in the northern part of the province. How can it be accepted by this parliament as a fair distribution? Who made it?—two gentlemen, one the Minister of the Interior who resides in Edmonton, the prospective capital, and the other who resides adjacent to that prospective capital, the hon. member for Strathcona (Mr. Peter Talbot). The hon. member for Strathcona has not been here very long and we have not had an opportunity of gauging his fairness, but his conduct during the last day or two in the House in connection with these schedules would lead us to form the opinion that he is a very apt pupil of the Minister of the Interior. We know how much dependence to place upon the independence of the Minister of the Interior. It is true that he came into this parliament as a so-called independent. He mighty soon lost that as was evidenced by his occupying a seat by accident and temporarily in the government in order to do which he had to swallow his independent convictions. He has produced in this parliament a schedule that he wishes the members of the opposition to take as fair and just to his political opponent. Well, if the hon. gentleman were as sure of its fairness to the south as well as to the north as he pretends to be, what reason would he have for objecting to have it transferred for adjudication by a commission composed of impartial men? If they would do justice, whatever the decision they might come to I am sure that the people in the north and the south would heartily coincide in adopting their decision. I think we have the best evidence that in his own heart of hearts the hon. gentleman does not believe that he is doing justice to the south and that he desires to force this measure through parliament by the aid of a subservient majority.

Mr. R. L. BORDEN. I think the Prime Minister was to give us some information in regard to school attendance before we disposed of this amendment.

Mr. W. WRIGHT. Mr. Chairman, it seems from the explanations which have been given to the committee that this is simply a question of whether Calgary or Edmonton shall be the capital of this new

province. I want to place myself on record as not being influenced a particle by that consideration. If I had my way I would not make either of them the capital, but I think I would pick out Red Deer which seems to be half way between the two and put a dozen constituencies north and a dozen south. I think we have a precedent in the past history of this country when the capital of the Dominion was established in the little place called By-town and that is the reason we find ourselves here in Ottawa on the present occasion. I think that would settle the controversy. But, to my mind there are some other considerations. I think the political aspect of the question has had some little influence on hon. gentlemen opposite. The right hon. Prime Minister (Sir Wilfrid Laurier) has stated that the only matter in controversy is the political capital. Well I would not like to dispute the statement of the right hon. gentleman because he probably knows more about what led up to the present arrangement than we members on this side of the House. If that was the main consideration in drawing up this schedule of the constituencies I think it would be in order for the right hon. gentleman to justify it. There are one or two anomalies which I would like to point out before this question is finally settled. It is stated by the hon. Minister of the Interior that they have given more representation to these large places in the north than to the constituencies in the south. I would point out that the constituency of Medicine Hat is much larger than the constituencies in the middle of the province. Take for instance such constituencies as Lacombe, Ponoka, Wetaskiwin and Leduc ; probably the whole four of them do not cover a greater area than the constituency of Medicine Hat. I presume that when the hon. gentleman went over these constituencies and found out that the very large ones required more representation, Medicine Hat was not overlooked. It is a very large constituency and requires more representation on that account. How was it adjusted ? They divided Peace River and Athabaska into two constituencies and got over the difficulty in that way. They got over the difficulty in regard to Medicine Hat by adding forty townships and giving it a population of nearly double that of other constituencies and three or four times the area. How can that be justified ? The question of Stony Plain has been referred to. There is a fringe of population down the side of this constituency and the adjoining constituencies could very easily have been extended a little westward so as to take in all the votes that there are in Stony Plain. To my mind there are three or four reasons why this Bill should not go through in its present shape. It is well known and I think it will be admitted by hon. gentlemen opposite that whatever the reason may be there is a good deal of feeling all over the Dominion of Canada, especially in the Protestant portions of this Dominion, over the distribution of this province as well as over the school clause which we have been discussing in this House for some months. I want to point out that it would have been wise, in my judgment, if the government, knowing the strained feeling there is in this country, to have left the delimitation of the boundaries of these constituencies to an impartial and independent tribunal, because the fact cannot be hidden that in making the adjustment we are making here we are giving to the people in the northern part of that country, including these half-breeds, a voting strength out of all proportion to what is given to the people elsewhere in the province. Figures were given to-day as to the census returns of that northern population taking in the whole of Athabaska which has now two members and they showed that in that country there were Roman Catholics 3,090, Anglicans 264, Presbyterians 23, and Methodists 2. There are people who will believe and who undoubtedly do believe that in that circumstance will be found one of the reasons for giving that additional voting strength to the northern district.

In order that there should be no excuse for any ill feeling over this matter, it would have been wise for this government to have done something to allay that feeling by leaving it to the judges to settle the boundaries. It has been said that there is no objection to the internal boundaries of these constituencies, but personally I may say that I have a decided objection. The question of the north or the south has no interest for me, but I find that some of these constituencies resemble the definition of a line, which is that it is length without breadth, and looking at these constituencies on the map it can be said that they are fearfully and wonderfully made. An impartial tribunal could have divided the constituencies in a manner fair to all concerned and allowed the new provinces to start out with that harmony and good feeling which should prevail. It is too bad that we should start them out with a red hot dispute over the question of the location of the capital. They have many other important matters to give their attention to, and this government could have easily prevented this controversy had they seen fit. Perhaps the selection of Red Deer would have settled the question as between Edmonton and Calgary, and removed the feeling of jealousy between the two. The government have had their way with regard to the school question, the number of provinces that ought to be created, and the disposition of the lands, and now they might accede to our contention and allow the judges to divide the constituencies.

Mr. HERRON. I draw attention once more to the fact that the districts of Lethbridge and Cardston are not properly represented in this proposed schedule. Cardston is one of the very thickly settled por-

tions of that country. It is supplied by that great irrigating ditch company which will probably irrigate over half a million of acres of land. If there were any sure means of accurately ascertaining the population of that country it would be seen at once that the proposed representation is not fair to it. The case of Lethbridge is even worse. Take the town of Raymond which three years ago had not one person living in it, and which to-day has a population of over 3,000, with a sugar refinery having the most up to date plant in Canada and which is in operation for a large part of the year. Last election the town of Raymond with 3,000 population only cast 113 votes, which goes to show that the vote cast can be no basis for ascertaining the population. Lethbridge with its large mining and banking interests is one of the most prosperous towns in the west and is surrounded by a large fertile and farming district. I do not see why these great interests should be represented only by one member, when certain districts in the north not to be compared with it have the same representation. I think that Lethbridge probably has the greatest reason to complain of this proposed distribution. The majority of the people in that southern country think as I do on that question as is evidenced by expressions of opinion from boards of trade, and from the newspapers, not only the Conservative newspapers but the Liberal newspapers as well. Last evening there was a difference of opinion between the Minister of the Interior and myself with reference to the Board of Trade of Macleod. I was not very positive about it last night, because I have received so many protests from towns and villages in the southern country that I could not distinguish between them, but now I beg to read the following resolution which has been forwarded to me:

BOARD OF TRADE.

Macleod, Alta., June 8, 1905.

J. Herron, M.P.,
House of Commons,
Ottawa, Ontario.

Dear Sir,—I beg to bring before your attention the following resolution unanimously passed at a meeting of the Board of Trade of Macleod, held on June 6 :

That this board of trade express the opinion that the central and southern Alberta are unfairly represented in the schedule of the constituencies as proposed in the Autonomy Bill and place on record its belief that the question should be referred to an independent non-political tribunal.

I have the honour to remain,
Very truly yours,
GARNET P. GRANT,
Secretary Treasurer.

This all goes to show that the people in the southern country think on this question as I do. I do not think there can be any doubt as to the opinion of the people of Lethbridge. We will begin with the resolution unanimously passed by the Lethbridge Board of Trade ; and one of the gentlemen present who voted for this resolution denouncing the government for their action was a leading Liberal member of the legislative assembly, who has always worked late and early for the Liberal party, and who is at the present time nominated to represent that town in the legislative assembly. This paper says :

The letter appearing in this issue from the pen of Dr. DeVeber, M.L.A., explains itself, in fact it must be admitted that the doctor is an adept at explaining things. While we cannot agree with his interpretation of the impression he made at the board of trade meeting last week re the protest against the gerrymandering of Alberta, we cheerfully accept his explanation as to the impression he meant to convey. In any case, the essential point is that the doctor has now stated plainly that he will use his utmost endeavour to secure for the south its rightful voice in our provincial parliament.

This is an independent Liberal paper. I suppose the board of trade at Lethbridge would be about equally divided politically, and two of the most prominent Liberals voted for the resolution. The independent paper at Pincher Creek has expressed the same view. I think I have said sufficient to show that the people in the southern country, Liberals as well as Conservatives, are unanimous in the opinion that this Bill does not give them proper representation. I was surprised to hear the hon. member for Western Assiniboia (Mr. Scott) this evening put forward the argument that that northern country was going to increase in the near future much faster than the south. I do not see on what ground he can believe that, with railways extending in all directions in the country extending southward from Edmonton, the people are going to leave that country, with fifty or perhaps a hundred millions of acres of vacant land, and travel to a country several hundred miles away from railways, and which it is difficult to get into. I think the hon. gentleman's argument is preposterous on the face of it. I do not think even the Minister of the Interior, who is a great advocate of that northern country, will say that it is going to increase more rapidly than the south.

Mr. R. L. BORDEN. Do I understand that the Minister of Justice has some information which I asked for yesterday, and which the Prime Minister explained to-day could not then be given ?

Mr. FITZPATRICK. Not taking much interest in this matter, I was not here, but I understood that the question was as to the school districts in Athabaska. I believe there is some information in the Department of the Interior on that subject, but it is only with respect to those schools which received grants. That is already included in the return which has been referred to.

Mr. R. L. BORDEN. The Prime Minister thought he might be able to ascertain the number of pupils in the schools, distinguishing between the white, the half-breed and the Indian pupils, if there were any.

Mr. FITZPATRICK. I understand from the gentleman here that it is impossible to get that, as there is no record kept of it. I will send over to the hon. gentleman a telegram that has been received.

Mr. R. L. BORDEN. I am at liberty to read this ?

Mr. FITZPATRICK. Of course.

Mr. R. L. BORDEN (reading) :

Schools, Athabaska, and attendance last year : St. Bernard's Mission, 2 schools, 46 ; Isle à la Crosse, 23 ; Heart River, 25 ; Vermilion and Fort Vermilion, St. Henri and Irene, training school, 43 ; Fort Chippewan, 2 schools, 37 ; Lesser Slave Lake, 40.

There is no information as to what part of the telegram :

Eleven schools, 214 pupils. Above details only take into account the schools to which grants were made last year.

There is no information as to what schools, if any, exist outside of these ?

Mr. FITZPATRICK. None that I know of.

Mr. R. L. BORDEN. I trust that I am not putting the matter unfairly when I say that as we had no information from voters' lists, or as to the number of those who voted in this district, we might have had a little more information of this character. I would have thought that the government could easily have procured it. My hon. friend the Minister of the Interior did not even take the trouble to put his information in writing. We had to depend upon a casual conversation. I would have thought that if reliance was intended to be placed upon the statement made by the gentleman from the west, the hon. minister might very well have got that gentleman to put it in writing, and to state the sources of his information, so that we would have had something definite before the House. Am I to understand from my hon. friend the Minister of Justice that this is absolutely all the information we can get about the schools ?

Mr. FITZPATRICK. I know absolutely nothing about what has occurred. The telegram which I have just passed over to the hon. leader of the opposition was handed to me by a gentleman who received it from Mr. Cory. The nature of the telegram to which this is an answer I know nothing of.

Mr. R. L. BORDEN. The Prime Minister suggested that we might make some progress by going into the schedules. I would not like to have the schedules disposed of to-night on account of the absence of the hon. member for Calgary (Mr. M. S. McCarthy), who was obliged to go to Toronto. I think we might dispose of the amendment and then take up the schedules, and I would like an opportunity of putting a few questions with regard to them so that the information may be available in a further debate on Monday. Of course I do not want the Minister of Justice to understand that we might not offer another amendment.

Mr. FITZPATRICK. Of course not.

Amendment (Mr. R. L. Borden) negatived, on division.

Mr. R. L. BORDEN. Now I would like to know the area of division No. 1, Medicine Hat, and what proportion of rural and what proportion of town population there is in it ?

Mr. OLIVER. The area can be found by the map.

Mr. R. L. BORDEN. I thought perhaps the Minister of the Interior or some official had this information already tabulated.

Mr. OLIVER. No.

Mr. R. L. BORDEN. Well, it might be more convenient for me to state exactly what I would like to know, so that the information may be prepared between this and Monday. If the hon. gentleman could get it completed before to-morrow night and let me have a copy of it, it would facilitate our work for Monday. I would like to know, first, the area of each electoral division ; second, the proportion of town population and rural population.

Mr. OLIVER. How would the hon. gentleman define a town?

Mr. R. L. BORDEN. We have been using the terms 'town population' and 'rural population' in this debate I would be inclined to adopt the standard of the Minister of the Interior, if he would tell me what it is.

Mr. OLIVER. There is a village incorporation, a town incorporation and a city incorporation.

Mr. R. L. BORDEN. In the third place, I would like an estimate of the population of each constituency as on the 1st of July, 1905, with a statement so far as possible of the sources of information upon which estimate is based. I assume for the most part it will be the voting lists, and perhaps there may have been a census of some of these towns. If there are any other sources of information I would be much obliged if the hon. gentleman would indicate them. Now with regard to the Peace River district and the Athabaska district, which we have discussed pretty fully, what I have stated already applies to them as well. I would like, if possible, to get

the information asked for yesterday from the Prime Minister with regard to schools. He had told us that the number of schools in this district, and I asked him to state the attendance at those schools, distinguishing if possible between white, half-breed and the Indian pupils. It may not be possible to get that information, but I think if the attempt had been made in time it could have been procured. Some other sources of information may be discovered between now and Monday. That information is important, as enabling us to come to a conclusion as to the population in that northern country. Those are all the items I think of at the moment. If anything should occur to me between now and an early hour in the morning, and I gave the hon. gentleman a reasonable time to prepare it, I trust he will permit me to communicate it to him so that we may have the information on Monday.

Mr. OLIVER. I am afraid it is not possible to get information as to the respective number of white, half-breed and Indian pupils in the schools, because they are conducted on an entirely different basis from the schools in the organized Territories. But if it is possible to make the distinction and get the figures, we will do so.

Mr. R. L. BORDEN. If we could get the total number of pupils, would it be fair to adopt the proportions of the whole population ?

Mr. OLIVER. I am inclined to think it would be. But that is only a guess.

Mr. R. L. BORDEN. It might afford a basis for estimate at least?

Mr. OLIVER. Yes.

Mr. LAKE. Are the schools in that district other than those that get the government grants?

Mr. OLIVER. This being an unorganized territory, there is no authority exercised over any schools except those for which money is paid. But I believe there are others.

Mr. LAKE. Would the minister get from the Census Department the best figures they have of the population of Athabaska showing where it is as between the east and west?

Mr. OLIVER. I have already furnished the fullest information I could get from the Census Bureau in regard to the Alberta part of Athabaska. I understand the hon. members to ask now for the Saskatchewan part of Athabaska.

Mr. LAKE. Yes.

Mr. R. L. BORDEN. And might I suggest that to save time the same information might be prepared with regard to the constituencies in Saskatchewan which we will have to consider shortly.

Mr. OLIVER. If I put both provinces in hand at once I fear it will cause delay.

Mr. R. L. BORDEN. I mean that the minister should get ready for it.

Mr. OLIVER. I will do so.

Mr. INGRAM. I understand the hon. gentleman (Mr. Oliver) is to supply figures showing the population of cities and towns. But there are incorporated villages also. Will they be given?

Mr. OLIVER. The understanding with the leader of the opposition is that cities and towns will be counted as urban population, while the villages will be counted with the rural population.

Mr. W. WRIGHT. I pointed out some time ago that the census figures showing the population of Edmonton and Calgary extended into the country for miles and not for the cities alone.

Mr. OLIVER. I can only give the information I get from the census bureau, and I took it for granted that when the census shows the population of the towns of Edmonton and Calgary it means for those towns and not for the surrounding country. If a part of the surrounding country is taken in it is a very limited area.

Mr. W. WRIGHT. The hon. gentleman (Mr. Oliver) is mistaken.

Mr. OLIVER. What is the area ?

Mr. W. WRIGHT. I will look it up.

Mr. INGRAM. While the hon. gentleman (Mr. W. Wright) is looking that up, I would like to urge the point to which I have just called attention. For instance take Pincher Creek. In 1901, according to the census it had a population of 837. But we are told that since then it has very considerably increased. It seems to me it would be fairer to include incorporated villages over say 500.

Mr. OLIVER. I am quite willing to take in all incorporated villages as town population. But, as between the leader of the opposition (Mr. R. L. Borden) and myself, it was agreed the other way. Because, with us, when a place grows to any size at all, it is called a town, and sports a mayor and council and all the trimmings.

Mr. W. WRIGHT. I will point out that according to the census report Calgary and Edmonton include a large portion of territory outside the towns proper. Calgary West, for instance, 63,000 acres.

Mr. OLIVER. That is the electoral district of Calgary.

Mr. W. WRIGHT. There are no other figures in the census report except what I have stated.

Mr. OLIVER. Then, I am afraid I shall be unable to give the figures called for. I can only give the best I can get.

Mr. R. L. BORDEN. I do not wish to burden the returns too much, but could we have the same information with regard to the schools for each electoral division ?

Mr. OLIVER. That is not available here; it is to be procured at Regina. Of course, we could try to get it. We would wire and might get the information by Monday. Of course, we have no authority over those people.

Mr. R. L. BORDEN. Is it available there in the form of returns?

Mr. OLIVER. In the records of the Educational Department. There would be no records, I suppose, showing the number of schools by electoral districts, but by taking a map they might be able to work it out for our information. It would take time and it would impose upon them labour which we have no right to demand. But I am willing to ask for it.

Mr. LAKE. Will the hon. gentleman (Mr. Oliver) get the same information for the towns in Saskatchewan? It will save time.

Mr. OLIVER. At the request of the leader of the opposition I am going to put in hand the information with regard to Saskatchewan that has been asked for in regard to Alberta.

Mr. BARKER. The minister said there was a much larger number of schools in one part of the country than in the other. Could he say whether in the case of the larger number these were general schools? For instance, were they Galician or Doukhobor schools, or were they all general schools, as I believe they are in the south?

Mr. PETER TALBOT. All public schools except two Roman Catholic schools in my constituency.

Mr. BARKER. Are there no separate schools of the foreign races?

Mr. PETER TALBOT. No, we have none of those.

Mr. R. L. BORDEN. Would the figures with regard to schools give us the number of pupils attending or the number enrolled?

Mr. OLIVER. That was read last night.

Mr. FITZPATRICK. I can give the abstract of that now. According to the information received yesterday it would appear that there are north of township 38, 8,834 on the school rolls, and to the south, 8,553. There are in Edmonton 1,330 children and in Calgary 1,593 on the rolls.

Mr. LAKE. Are Edmonton and Calgary in addition to the other figures, or are they included in the other figures ?

Mr. FITZPATRICK. Edmonton is included in the number of school children in the north and Calgary in the south. I gave the special figures for these two because they were contained in the telegram.

Mr. INGRAM. And Red Deer also, 333.

Mr. R. L. BORDEN. Do these include the Indian schools ?

Mr. FITZPATRICK. That does not include the Indian schools ; the Indian schools are not under the control of the local authorities : these are the schools organized under the school ordinances of the Northwest Territories.

Mr. INGRAM. This does not include the Indian children ?

Mr. FITZPATRICK. The Indian children come under the Indian Department.

Progress reported.

BUSINESS OF THE HOUSE—INTRODUCTION OF BILLS.

Mr. ALEX. JOHNSTON moved that the following Bills from the Senate be placed on the order paper for second reading.

Bill (No. 177) respecting certain patents of David Thomas Owen.

Bill (No. 178) respecting the Canada Central Railway Company.

Bill (No. 179) respecting the Brandon, Saskatchewan and Hudson's Bay Railway Company.

Bill (No. 182) respecting the Sterling Bank of Canada.

Bill (No. 183) respecting a certain patent of the Metal Volatilization Company ; and

Bill (No. 185) for the relief of Isaac Pitblado.

Mr. R. L. BORDEN. This is the same motion that was declared out of order today, is it not ?

Mr. DEPUTY SPEAKER. I am informed it is now in order. The motion has been prepared by the clerk of the House in accordance with the rules.

Mr. INGRAM. Is Bill (No. 177) not the one we had before the Banking and Commerce Committee ? It is the number, but it does not seem to be the same Bill.

Mr. FIELDING. I understand these Bills were read a first time in due course and referred to the Standing Orders Committee. This is simply to put them in proper order for the second reading.

Mr. R. L. BORDEN. When they are read a first time, why do you require a motion to put them on the paper ?

Hon. L. P. BRODEUR. It is because there is no regulation providing that a Bill read the first time and referred to the Standing Orders Committee can be placed on the order paper for second reading, because there is no order of the House to that effect.

Mr. R. L. BORDEN. That is as to Bills that come from the Senate.

Mr. BRODEUR. As to Bills that come from the Senate there are two proceedings. Some of these Bills have been referred to the Standing Orders Committee before they come from the Senate. When they have been so referred to the Standing Orders Committee, they stand for second reading after they pass the first reading here. If the petitions have not been referred to the Standing Orders Committee the Bills are read the first time and referred to the Standing Orders Committee, and there is no provision in the rules by which these Bills stand for second reading. Then a motion has to be placed on the order paper for second reading.

Mr. R. L. BORDEN. I have no doubt that is all right, only I cannot say I quite understand it, and I think it is rather absurd. Still as it is according to the rules of the House we had better go ahead.

Mr. INGRAM. We considered in the Banking and Commerce Committee to-day Bill (No. 177.)

Mr. FIELDING. We did not have a Bill from the Senate of that number.

Mr. INGRAM. You cannot have two Bills of the same number.

Motion agreed to.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. After private business on Monday, you resume this Bill, I suppose ?

Mr. FIELDING. We will continue the Autonomy Bill.

Motion agreed to, and House adjourned at 12 o'clock midnight.

HOUSE OF COMMONS.

MONDAY, June 26, 1905.

The SPEAKER took the Chair at Three o'clock.

THE EMBARGO ON CANADIAN CATTLE.

Mr. McINTYRE presented the sixth report of the Select Standing Committee on Agriculture and Colonization as follows:

The committee having had under consideration the question of the embargo on cattle from Canada entering the ports of the United Kingdom, and after a careful review of all the circumstances connected with the subject, past and present, the committee are unanimously confirmed in the opinion that the said embargo is most unfair and unjust, as it is a publication to the world at large that the Board of Agriculture considers it unsafe to permit Canadian cattle to come in contact with the herds in the United Kingdom, whereas it is a well known fact that in no other country than Canada can herds be found so free from disease.

That the scheduling of Canada by the imperial government is considered, from a financial point of view, a serious loss to the Canadian cattle trade, the farmers and the stock raisers of the Dominion.

That the action of the imperial government is not justified by the facts of the case, it having been clearly proved that the disease of pleuropneumonia has never existed in Canadian herds.

That in view of such conditions the removal of Canada from the schedule would be but an act of justice and should be strenuously pressed.

That as the Dominion is a stock raising country and capable of producing a large and constant supply of beef cattle, it is considered important to the empire that no obstructions or difficulties should be placed in the way of Canadian cattle breeders which would tend to decrease the food supply within the empire.

Whereas the committee realize that an injustice is being done to the people of Canada through the British embargo on Canadian cattle being maintained, and believe that it would be in the best interests of the farming industry of the Dominion to have a deputation consisting of the Minister of Agriculture of the Dominion, and the Minister of Agriculture of each province in the Dominion wait upon His Majesty's government of the United Kingdom, giving as much publicity to their proceedings as possible, to lay before said government the equity of the request to have the imperial Act authorizing the said embargo repealed.

And the committee further recommend that the government of the different provinces be invited to co-operate by sending the Ministers of Agriculture for their several provinces, to act in conjunction with the Minister of Agriculture from the Dominion, in presenting the case, in behalf of Canada, and that action be taken in the premises at the earliest possible date.

(Sgd.) P. H. McKENZIE,
Acting Chairman.

House of Commons,
June 26th, 1905.

RICHELIEU BRIDGE AT SOREL.

Hon. GEO. E. FOSTER. Before the Orders of the Day are called, I want to ask the Minister of Railways if he will kindly bring down the report of the Minister of Railways and the Order in Council founded thereon, of date January 16th, 1900, with also the report of the chief engineer, upon which the minister's report was made ? That is in relation to the payment made on the bridge at Sorel ; and if the minister will bring down the papers, I propose to lay the case before the House at the earliest possible opportunity.

DOMINION LANDS—THE NIXON CASE.

Mr. FOSTER. Before the Orders of the Day are called, I desire, in accordance with a note I wrote to the Minister of the Interior, to draw the attention of the House

to the case of Nixon. On some newspaper and private information I asked the Minister of the Interior to make a statement with reference to the Nixon case. This the minister did about the middle of May, and then I asked that the papers in connection with the matter, especially the examination made by Mr. Leach in the case, should be brought down.

Sir WILFRID LAURIER. Does my hon. friend intend to discuss that matter ?

Mr. FOSTER. Yes.

Sir WILFRID LAURIER. Will he move the adjournment ?

Mr. FOSTER. Yes. I propose now to lay the case before the House as it appears to me in the light of such investigation as we have had and of the minister's statement. Nixon was an officer in the Department of the Interior employed at Macleod as a land agent and caretaker of the immigration building, and, to a certain extent, a land guide. It appears from the statement made by the minister that Nixon was appointed in 1899 to that sub-agency, and that nothing was known of the irregularities of the agency until some time in March of the present year, and that Nixon himself knew nothing of anything being wrong in his accounts till the 15th of March ; that then the examination was ordered and took place. I find then that when the attention of the government was brought to it, a telegram was sent to Mr. Leach to the effect that the department was advised that possible serious financial default had taken place in the sub-agent's office at Macleod. Mr. Leach was told that he should investigate promptly, communicating first with the agent at Lethbridge, and to acknowledge his instructions by wire. On the 24th of March, Leach, telegraphing from Brandon, acknowledges the preceding day's telegram and informs the department that he is leaving for Macleod on the evening of that date. It appears that he gave notice to Mr. Martin, the agent at Lethbridge, who met him on the 27th of March at the Macleod agency. The report of Mr. Leach follows, and I will read some extracts from that report. It begins by saying :

Acting upon the instructions given in the above quoted telegram I communicated with Mr. J. W. Martin, agent of the Dominion lands at Lethbridge, instructing him to join me at Macleod on Monday morning, the 27th of March, with books and papers from his office required in the investigation. Together we spent the whole day and most of the night at Macleod, and the following day at Lethbridge collecting such information as was obtainable re the position of the sub-agency.

All of one day and most of one night was spent at Macleod, and then they went on to Lethbridge.

From the sub-agent we learned, that he had trusted the work entirely to his son, and kept little or no supervision of it. The son had left Macleod about the 15th of March, and at the time I was there his whereabouts was unknown.

Now, I have no hesitation at all in saying that this report of the investigation by Mr. Leach is not at all thorough or efficient. It is the very opposite of showing a thorough examination or of being an efficient report upon a case of this kind.

Mr. SAM. HUGHES. Who is Mr. Leach ?

Mr. FOSTER. As I understand, an officer of the department at Winnipeg, not at all an enemy of hon. gentlemen opposite or of the Minister of the Interior, as indeed Mr. Nixon is not. That is about all he has to say with reference to that. An inquiry that comes in here and is very pertinent is, how long had the son been in his father's office ? The father took charge of the office in 1899 ; what was the age of the son when he first went into his father's office ? It would have occurred, I think, to almost any person making an examination at such a distance from his minister, that that would be very pertinent information, to be followed of course by other information gathered later. He says that the son had left Macleod about the 15th of March, and that at the time he was there his whereabouts was unknown. He does not say that he took any steps whatever to inquire as to the whereabouts of the son. The whole onus of this bad business was laid by the father on the son, and yet the investigator who was sent out there to investigate does not show by his report that he took the least pains to find where the real criminal was at that time. Just at this point, I have information that I believe to be reliable that the son was never farther away than Frank, that he was in Frank only for three or four days, and that the rest of the time he was and has been and is in Macleod. The investigator goes on to say :

The books were in very bad shape. The sub-agent's receipt book stubs prior to November 18 could not be found.

November 18 of what year he does not say, but I take it from the context that it was the year 1904. Does this mean, then, as it seems it must, that from the time Nixon took charge of the office in 1899 until November, 1904, all the stubs in his receipt books were missing and had been destroyed ? That is the only inference you can draw from the statement of the agent. It goes on :

A blotter was kept, professedly for the entering of transactions at the time of their occurrence, and the regular register book of the office.

These are the only two books that Mr. Leach mentions ; yet in the next sentence he goes on to say :

In each of these books we found entries which were in neither of the others—

That would mean that there were other books than the two. Mr. Leach does not point out what were the books. In fact, he says there were but two books, the blotter and the register book of the office, but the context shows that there must have been three, for his next phrase is :

—but from the three we compiled a statement which, while it cannot be said to be positively accurate, is complete so far as we could procure information at the time.

It is of interest to know what this other book was. Now, what had been brought out ?

Irrespective of the transaction in lots of Macleod town site, the following is a list of the irregularities:

(1.) Receipt book, with stubs used prior to November 18, 1904, missing.

That is, all the receipt books with stubs, used from the time Mr. Nixon went into the office in 1899 up to the 18th of November, 1904, were missing—had been destroyed or lost.

(2.) Counterfoils for November, 1904, and February, 1905, also counterfoil No. 23,614 for December 3, missing.

(3.) stub of receipt No. 33,670 torn out of the receipt book and missing, supposed to be for $80, paid by M. McNaught on account of some land, and should be dated about February 16.

Mr. Leach does not in this case state in what year.

(4.) Very often there was a great difference between the dates moneys were received at sub-agency, and dates of remittance to the Dominion lands office, Lethbridge, the moneys being held by the sub-agent.

Now, any one would think that Mr. Leach, in investigating this matter, and trying to get information to send to his department, would have made up a list and sent it with his report, showing the dates the money was received and the dates of remittance ; yet he does not do it, either carelessly, or because he had determined not to do it. What he should have given the minister, what the minister ought to have had, and what we require, is a list of these moneys, the dates of their reception, and the dates of their remittance to the head office at Lethbridge or to the department at Ottawa.

(5.) On several applications for homestead entries, the dates have been altered, presumably to suit the dates of making remittance. This also applies to dates upon receipt of counterfoils.

In these cases it was essential that he should have sent a list of the names and the dates. He has not done this, and I submit that we have not the proper information to show the trend of this transaction. How many cases there were we do not know ; neither do we know the dates upon them nor the names with reference to which the alterations were made.

(6.) No application could be found for the following, and for which entry fees had been paid to the sub-agent,—one of December 3, from Burdette, and one of February 22 from Barber.

The year has not been given, though I presume it is the year 1904-5. With reference to Burdette, this has been made certain by a future statement. With reference to Barber, it is uncertain.

(7.) Timber requisitions could not be found for the following, who paid the fees.

Then follow the names of seven men who had paid fees, and the requisitions of whom could be found in the office.

(8.) The following moneys were received, for which apparently no receipts were issued.

Three sums of $10, 25 cents and 25 cents are mentioned. The year is not given in these cases either.

(9.) For the sum of $100 reported by the agent of Dominion lands, Lethbridge, March 18, 1905, on account of one Clifton, there was no entry to show that it had been remitted direct to the department.

But the departmental receipt of 20th March on form 42 was accepted by me as evidence of the remittance.

That probably turned out to be all right.

(10.) Items of moneys received by the sub-agent and not noted in his register.

Then follows seven items for sums of $10 each with the exception of one for $25. These were received by the sub-agents, but not entered in the register, but that is not all.

Nothing entered after the 20th of January.

He does not state whether there were any transactions after the 20th of January, but nothing was entered after that date.

(11.) The following is a list of moneys received by Sub-agent Nixon, other than the town site lots at Macleod, which were not remitted to the agent of lands, Lethbridge, from the 1st of November, 1904, to the 27th of March, 1905 (though no stubs are to be found for dates between the 31st of October and 18th of November).

Then follows a list of the moneys running over a page, amounting in all to $329.05.

(12.) Re the lots, Macleod townsite, for which Sub-agent Nixon had received payment. For these there are no data whatever in the records of the sub-agency, but I procured sufficient evidence to convince me that the following payments had been made, which were not remitted to the agent of Dominion lands, Lethbridge.

Brought forward	$329 05
1901.	
April 11th, G. F. Beere, lot 13, N. 17, W. 5th avenue..	30 00
1902.	
M. J. Gallagher, lot 10 and 11, S. 27th, W. 5th avenue..	80 00
1902.	
J. Struthers, lot 20, N. 20, W. 5th avenue	30 00
1904.	
Jane Hoge, lot 7, S. 24, W. 5th avenue..	30 00
Total shortage..	499 05

Which, added to the preceding sums, show a total shortage, so far as they have found out, of $499.05. Will you please note, Mr. Speaker, what is involved in these several counts against the sub-agent. I do not think it is a trifle, though it may appear so to some. When an agent, a trusted servant of the government, either loses or destroys all the receipt books or stubs of the same from 1899 down to the 18th of November, 1904, what does that mean? Gross carelessness is the least that can be said with reference to it, but when in connection with that you have the known sequestration of funds, it points to more than gross carelessness, and nothing but actual evidence can clear the man from a charge of something weightier than that of gross carelessness. That is established by Mr. Leach. Counterfoils in the second count are missing. The same remarks apply to those. Stubs torn out, which shows obstinacy and persistence in destroying evidence, which otherwise might incriminate him one way or another. That is worse than gross carelessness, and comes very close to malevolent injury done.

Very often there was a great difference between the dates moneys were received at the Scott agency and the dates of remittance at the Dominion lands office.

That is certainly worse than gross carelessness. It means that he took public money and covered up the facts by rearranging the dates, by making the dates of remittance or dates of acceptance different from what they were in order to cover up the track of taking money. But some thing still worse than this takes place.

5. On several applications for homestead entries, the dates have been altered, presumably to suit the date of making remittance.

That, I should think, comes as close to forgery as possible. A man makes his declaration and pays his money at the time. Then the remittance should have gone. But somebody in the office alters the date of application—forges a part of the document sent by another person than himself. For what purpose? Evidently to cover up the concealment or the abstraction of money. This also applies to dates upon the receipts or counterfoils. No applications could be found, for a number of applications had been either lost or more presumably destroyed. Many others were found for which no receipts had been issued. Consequently those paying had nothing to show. Then with regard to certain sums of money, amounting to about $329 in all, it is shown that they had been received and had not been remitted at all, the dates of reception run from November, 1904, up to the time that the investigation commenced in March. The 12th count is different from the others, because it shows that Nixon himself, as early as 1901, by what was found out—to say nothing of what was not found out—

and from that date had been receiving money and had given his own personal receipts therefor—not his son's—his own receipts and had not paid these moneys in, but had converted them to his own use. One sum runs from 1901 to 1905; two from 1902 to 1905, and the third and fourth from 1904 to 1905—amounting in all to $120, making a total shortage discovered of $499.05.

Now we come to the next part of the report:

I may say that Sub-agent Nixon appears to be badly broken up over the unfortunate 'mix-up' in his office.

You will notice a family likeness between this and the Thessalon post office matter. There also the agent was badly broken up.

He readily assisted in every way in providing information and through friends made up the whole amount of the shortage of $499.05, which was handed to Mr. J. W. Martin, agent of Dominion lands, Lethbridge. Mr. Nixon also handed me his resignation, which herewith please find inclosed. He claims there is $200 due him for four months' salary.

That induces the question: Does the Interior Department not pay its officers who are in receipt of monthly salaries at the end of each month? If so, why was not Nixon's salary paid from November, December, January and February? It is not only that Nixon claimed it, but there is also here a letter from the secretary of the Department saying that four months' salary were due to Nixon. Why did the department keep back four months' salary from Nixon if they had not suspected that something was wrong in the office? It would seem as if there was some trouble and that his salary had not been paid pending the clearing up of the trouble. The family likeness is not exhausted by the agent being broken up. It appears in another feature. Mr. Nixon very generously throws the whole guilt of the transaction on his boy, who was in his office, he affirms who did all the crooked work and who left about the time that it threatened to come out. Mr. Leach goes on to say that he ordered Mr. Martin, the agent at Lethbridge, to take the books back with him to Lethbridge and to go on with the investigation so far as he could by the aid of the books.

Now, these are about all the facts brought out—with this exception: Nixon sent in his resignation; that resignation was, I presume, accepted by the department, but, within a very few days—or a very few weeks, in fact—Nixon was appointed to office of emolument in the Interior Department at a pay of $75 per month, in which office he is at present, I presume, and which pay he is now drawing.

The town lot cases are peculiar. It seems that, at a certain time the government proposed to hand over to the town of Macleod certain of the town lots. Among the lots thus handed over by the depart-

ment were certain lots which had been paid for to Nixon in 1901, 1902 and 1904, which the purchasers had taken possession of and which they had improved ; but when they applied for their deeds, they found that there was no record of their receipt or title, and that, in fact, the title had been passed over to the town, the department having no knowledge of the lots having been purchased, that knowledge having been made impossible by the fact that Nixon had pocketed the money and had not reported the transaction. Now, I have said that Nixon's own signature appears on these receipts. This fact is attested by the affidavits of persons who bought town lots and who say in their affidavits that they hold the receipt of Sub-agent Nixon in their possession. In one case, this also is to be noticed: A firm of lawyers, Messrs. Campbell & Ballachey, acted for Mr. Conolly in purchasing a lot from Jane Hoge. The patent had not been issued to Mrs. Hoge, but she produced a receipt in full for the purchase price of the lot, signed by Nixon as Dominion lands agent. The lawyer states that he saw Nixon at the time, and adds :

—he assured us that Mr. Conolly was perfectly safe in taking a transfer of the land from Mrs. Hoge; in fact he stated that he did not think it would be necessary to do so, as he would communicate with the department and have the patent issued in Mr. Conolly's name. However, we did take a transfer from Mrs. Hoge, and sent it to the registry office for registration. Upon the receipt of the patent by the registrar, some months afterwards, the transfer was returned to us with a letter from the registrar, stating that the patent for this lot was issued in the name of the town. Since then we have made application to the town council, and they demand the full price for the lot, which is $150.

Another gentleman who paid for his lot, and who adorned and beautified it, finds that he will have to pay the city $400 for it if he wishes a title. Consequently these parties come in and demand from the department that they be held harmless and that their title be confirmed to them at the expense of the Crown. Now, the statement made by the minister included two paragraphs which I am going to note. He says :

Some time in the month of March, 1905, information was received by the department that there were some irregularities in the conduct of the office at Macleod. The inspector of agencies was immediately wired to investigate and report.

One would gather from these words that this was the first time the department had heard there was any trouble in the sub-agency at Macleod. Then, the question arises : How comes it that the salary of the agent has been held back for the months of November, December, January and February? The minister goes on to say :

Mr. Nixon's son, who had been in charge of the office, left for parts unknown on the 15th March. This was the first intimation Mr. Nixon had that anything was wrong with his accounts.

Now, how could the minister make that statement? It was not a statement as to when the knowledge of this matter first came to the department; but the minister makes the statement on his own responsibility that the first intimation that Nixon had was on the 15th of March, when his son left the office for parts unknown. The evidence that Mr. Leach presents shows that as early as 1901, Nixon had received money, had kept the money, had not reported it and had not registered the title for which the money was paid in the registry office. Yet, the minister steps into the breach on behalf of his friend and worker, Nixon, and absolves him of all knowledge that anything was wrong in that office until the 15th of March last. How could the minister have done it? And how foolish the minister must appear now, when Mr. Leach's own statement, fully corroborated, shows that, as early as 1901, Nixon had commenced abstracting and keeping money which belonged to the government. Was it a case of one friend being over-zealous on behalf of another? It seems to me it would have been the better for the minister not to have shown too much eagerness in defending Nixon until the completion of the investigation which he had ordered. He ordered an investigation into the charge and then, at the very moment when his own man is hurrying west to make investigation of the charges which had been made, he proclaims Nixon positively innocent.

Well, but that is not the worst of it. Both Nixon and the minister himself lay the blame on Nixon's son. Now, in the first place, I take this ground—that it is no exoneration of Nixon—who was appointed land agent, not the son, if he allowed an irresponsible boy to go into his office, steal money, destroy the evidence, forge names, and carry on mischief generally. Are you going to set a code of morals with respect to public employment that a man is not responsible for the people he puts into his office to act as his clerks and to represent himself? Is that the code of morals that is to be established by this government for the guidance of the hundreds and thousands of employees of this country? But even that is too thin to wash. Why did not Mr. Leach tell us when that boy entered that office? Was the boy anything more than a mere stripling in 1899 ? Is he of age yet ? May be the minister knows. If he does not know, he should find out. If the boy is of age and has stolen the public money, then justice should be done. Are you going to allow thieves in your departments, and when they are found out, just because they happen to skip away

a few miles from the place where they committed a theft, are you not going to follow them and punish them ? Is that what you propose to teach to the people of this country ? If the boy was of age he is liable to punishment, and should be punished ; if he was not of age, it is as mean in this case of Mr. Nixon and the minister as it was in the case of the Thessalon postmaster and the Postmaster General, to try and take the tender children of these officials and lay the guilt upon them, and send them as scapegoats into the desert to bear the penalty. But, Sir, it will be found out if this boy was not of age, it will be found out if he was not long in office, it will be found out if an investigation is held, that Mr. Nixon had been stealing for years, and knows that he has, and the people who live in Macleod know that he has been. Now then what is the minister going to do about it ? Is he going to adopt this principle and carry it out, and is the government going to back him up in it, that a man who proves recreant to his trust, either by appointing those who abuse the trust, or worse still, as in this case, by abusing the trust himself then denying it and attempting to throw the guilt upon his little boy, that such a man is to go unpunished ? Is the minister going to establish this code of ethics ? Is this the class of people out of which you are going to get your employees for the Dominion government ? That is the whole question which is before this House. It is the same as the Jackson case, smaller in one sense, magnified in another. There you took a man who was publicly branded, and you made him your $3,000 agent to represent Canada in the old country, you keep him there yet,—so bad a case that when the Hon. G. W. Ross was attacked for it in the last elections in the province of Ontario, his only answer was : Well, gentlemen, I did not appoint him to any office. Yet we found some one ready to do the dirty work in this House. No more disreputable job has there ever been in the history of politics than that, unless it be this, and the Thessalon post office cases. Here you have it again. The minister is behind it, evidently holding up to this country and to the officials of this country, already sufficiently strong partisans, this principle : Be sufficiently bold in your transactions, in one sense, and be sufficiently mean to throw the guilt upon your own children when you are found out, and as long as you do that you are safe, we will appoint you to a fresh office and keep you there.

Hon. FRANK OLIVER (Minister of the Interior). I am sure the House has been very far from edified by the efforts of the hon. member for North Toronto (Mr. Foster) to expose to the gaze of parliament and the country the misfortunes of a man and his family who, whatever their shortcomings may be, however guilty he may be of having supported the Liberal party in the past, whatever sin he may have committed in that particular, is not entitled to be alluded to by that hon. gentleman, an ex-Minister of Finance of this Dominion, as a thief, under the cloak of his membership in this House. If this man is a thief, the courts are open and the process of law are available to the hon. member for Toronto. I say it is a cowardly act to accuse a man of theft under the privileges of a member of parliament. The same is true in regard to the whole procedure. If there is criminal guilt the courts are established for the punishment of that guilt.

Mr. FOSTER. Where does the hon. gentleman come in?

Mr. OLIVER. The government of this country comes in as administering its public affairs, not as administering justice. The courts are there, the means of justice are there ; and I say it is an outrageous thing that such charges should be made here on the floor of this House under the privileges of parliament, charges that, if they are true, should have been made under process of law long ago. Is it charged upon the Department of the Interior, or upon this occasion, that every act of every man who does now, or ever has worked for the government, should be subject to our investigation, that we should prosecute every crime he has committed ? If some official steals a ham, is it for us to set the machinery of the law in motion ? The law is established for the punishment of officials here, there and everywhere.

Mr. FOSTER. If the minister cannot do any better than that, I should advise him to leave the defence to some one else who has more policy, at least.

Mr. OLIVER. There is no policy about it, there is nothing but justice ; and I ask for a humble citizen of the district of Alberta that his name and the misfortunes of his family shall not be paraded before this country, under the protection of the irresponsibility of members of parliament, which they would not dare to do on their responsibility as individuals, and subject themselves to a prosecution before the court. Otherwise, why has this charge laid so long unpunished, when the mounted police and the courts of law are available in that country ?

Mr. FOSTER. May I ask the hon. gentleman at what date he learned from his officers that Mr. Nixon, or Mr. Nixon's son, had stolen public money, and if nothing has been up to him from that time till now as a matter of justice ? Does he take the ground that as a minister he has no right to see that his officers are punished when they steal public money, that he must not enter a private prosecution against them ? Does he take that ground ?

Mr. OLIVER. Certainly not. The hon. gentleman does not enter a private prosecution in a criminal case. What is he talking about? There is a responsibility on every citizen to see that the law is enforced and when he has taken so much trouble to trump up a case like this and bring it before the public, he might surely take enough trouble——

Mr. FOSTER. Mr. Speaker, I rise to protest against the charge of having trumped up a case. I read before this House the report of Mr. Leach, who was appointed by the minister himself to make the investigation. It is the report of Mr. Leach which states all that I have stated. I am not trumping up any charge. The minister had better attack Mr. Leach in defence of his favourite.

Mr. OLIVER. Mr. Leach states, as I understand it, that Mr. Nixon did not steal public money.

Mr. R. L. BORDEN. Who did?

Mr. OLIVER. That Mr. Nixon's son made away with the public money, and that Mr. Nixon replaced that money to the last cent.

Mr. R. L. BORDEN. When did the son enter the service?

Mr. OLIVER. The son never entered the service. My hon. friend is altogether misrepresenting the position.

Mr. R. L. BORDEN. When did he enter the office?

Mr. OLIVER. I do not know when he entered the office, it is not a concern of the department when he entered the office. That is a matter belonging to the land agent. The son is not an official of the government.

Mr. R. L. BORDEN. Might I ask the minister this question? I want to know what his position is. Some of these moneys were abstracted in 1901, as appears by the report of the hon. gentleman who made the investigation. Is it not of some importance at what time the son went into the office? Suppose the son went into the office in 1902, some of these moneys were abstracted in 1901, would not that be an important circumstance?

Mr. OLIVER. That certainly would be an important circumstance if the member for North Toronto had the courage and decency to cause a prosecution to be entered in the court and get this matter brought up for trial before a court, instead of taking up the time of this House in discussing something that should be discussed before the courts, rather than before this House.

Mr. INGRAM. Is not the administration of justice in the Territories under the Dominion, is not Mr. Mackenzie, who was the defeated candidate, the Crown prosecutor in this district, and did not Mr. Mackenzie refuse to serve on this committee because the reputation and character of Mr. Mackenzie were such as not to permit him to do so?

Mr. OLIVER. If the hon. gentleman (Mr. Ingram) will tell me what on earth that has to do with this case I will answer him.

Mr. INGRAM. I understood the hon. minister to say that this was a matter we should leave to the courts.

Mr. OLIVER. Surely.

Mr. INGRAM. Then, I understand the administration of justice is under the Dominion officials and I am asking the hon. gentleman why it was that this case was not proceeded with?

Mr. OLIVER. The hon. gentleman's ideas of the administration of justice in this country and mine are altogether different. There was a time when the administration of justice was under political control but that time has gone by; the administration of justice to-day is independent of political control and any man can get justice independently of any interference on the part of this government or of any of its departments. I want to explain the position of a sub-land agent and to show that that position has been misrepresented by the hon. member for North Toronto. He has referred to this sub-land agent, Nixon, as though he were a government official. He was doing government work but he was not a government official in the ordinary sense of the word. These sub-land agents are merely public conveniences for the acceptance of homestead entries and all the ordinary business that may be transacted by a land agent and the money that is received is transmitted to the land agent. The system is merely a convenience for the public and not a convenience for the government. The sub-land agent is therefore the convenience for the public. When this system was first established the sub-land agent was paid by commissions on his collections and not by salary. It was thought that was not a good way and a small salary was paid in consideration of the work done by the sub-land agent. Now, the sub-land agent is not under any rules or restrictions by this department in any way, shape or form. He is supposed to be engaged in other business, he is not supposed to sacrifice all his time for the stipend he receives from the Dominion government, he may be an insurance agent, a real estate agent, or in any other line of business, but for the public convenience the government asks him to receive applications for homesteads, timber permits and hay permits and to communicate them to the land office. The idea that the hon. member for North Toronto desires to convey is that Nixon was a government official and that he was under the control of the government as though he

were the hired servant of the government. As a matter of fact, he was not in that position at all, and we had no more control over his office in so far as he conducted government business than we had over his office in so far as he conducted private business except in so far as the results of his work were concerned. As far as I am aware, as soon as it was discovered that there was a shortage in that office, an investigation was held. According to the statement of the gentleman who made that investigation, Nixon gave every facility for the investigation and as soon as the shortage was found, Mr. Nixon paid it to the last cent. Whatever duty there might have been in that matter beyond that I am not prepared to say, but I say that the first duty of the government in the matter was to secure the return of the money so that nobody should be out of his money, and when that was done the question had to be considered as to what further proceedings should be taken. As to the allegation that Nixon was stealing money from some time in 1901 until the present time, that is that he had received money which he had not accounted for, I can only say that Nixon certainly should not have been a Dominion sub-land agent, he should not have been anywhere else than within the walls of a lunatic asylum if he actually stole that money at that time intending to keep it and to carry on his business in that way, because it must in the nature of things necessarily have been discovered and he must necessarily therefore have been subject to punishment.

Mr. FOSTER. No, he gets another office.

Mr. OLIVER. I say that if he had the intention of stealing that money he must have been a kleptomaniac to steal so little and then not protect himself in any way.

Mr. FOSTER. That is ingenious.

Mr. OLIVER. When the officer goes there to investigate, instead of Nixon trying to cover up the matter, the report of that official shows that he endeavoured to give every bit of information that it was possible to give.

Mr. FOSTER. By destroying every stub from the 18th November, 1904.

Mr. OLIVER. Not at all. The fact that these stubs were destroyed did not prevent Mr. Leach from finding out certain facts in regard to this matter. The hon. gentleman is simply assuming that this man is a government official in the ordinary sense of the term and that we had control over his office as we would have over an ordinary land office. Both of these propositions are contrary to the fact. We have no more right to say what he shall or shall not do in his office than we have to control the actions of any other private citizen.

Mr. FOSTER. Nor hold him responsible.

Mr. OLIVER. We did hold him responsible and he has made restitution, so I understand, of the mony that has been found short. That it seems to me was the first duty of the government in the matter. Beyond that, if Nixon is liable to criminal prosecution, it is for those who consider him guilty in the matter to institute the prosecution. As far as the information which came to the department is concerned the department did not consider Nixon guilty and therefore did not institute any prosecution.

Mr. FOSTER. I should judge that.

Mr. OLIVER. You naturally and very properly would.

Mr. FOSTER. Very properly from what I know of the department.

Mr. OLIVER. I do not know whether the hon. gentleman takes his replies from his seat in that way as either wit or argument, but to my mind it would be better if he would place his arguments before the House when he has an opportunity instead of interfering when the other side of the question is being placed before the House. In conclusion all I have to say is that the department has nothing to conceal on behalf of Nixon or any other man now or hereafter, that an investigation was held, that a report was received, that the money was refunded, and that it was the belief of the department that Nixon was not morally guilty and therefore no prosecution was entered against him. To those who think he was morally guilty the resources of the courts and the law are open to take such course as they may please, and I think that so long as we can show that there was a necessity for the land office at Macleod, that public business was transacted for the convenience of the public and that nobody lost a cent by these transactions we have done our duty. When Mr. Nixon resigned we thought that perhaps it would be as well not to reopen the office at Macleod. Possibly there was no necessity for it but we got very urgent demands from the people of Macleod asking for the opening again in that place of the very same kind of a land office. They are quite willing to take their chances on the transactions of the sub-land agent's office just as they did before.

If my hon. friend (Mr. Foster) will look over the record of the government of which he was a member he will have no difficulty in finding instances that were a very much greater trespass on the public right than this one was. So far as my knowledge of Mr. Nixon goes, I say without hesitation that I have every sympathy for him in the unfortunate position in which he is placed. I have no hesitation in saying that, although he is a very humble individual, living at a long distance from here and is not in the constituency I have the honour to represent at the present time. Furthermore, I wish it to be

understood that however much our hon. friends on the other side consider that it is a criminal act to cast a vote for a Liberal candidate, I for one do not consider it a criminal act nor an act which would debar a man from holding any public position to which he may be called.

Mr. FOSTER. I beg leave to call my hon. friend (Mr. Oliver) to order. He has no right to say that any hon. gentleman on this side of the House—confining it to myself he has no right to include me amongst such—considers it a criminal act to vote for the Liberal party. That statement of itself discredits the minister; it leaves him away down in the bottom of his seat. No one on this side ever made a statement like that; he knows that no one ever made a statement like that. Does he consider it proper and right and dignified to utter such a misrepresentation? If the hon. gentleman does himself justice he will rise in his seat and make an humble apology to members on this side of the House for making such a statement; one which is entirely unwarranted.

Mr. OLIVER. If the hon. gentleman (Mr. Foster) wishes to be understood that penalizing a certain class of people is not dealing with them as criminals, then his position is correct. His insinuation, as I understand it, is, that men shall not be considered as suitable for public service because they have voted for the Liberal party or the Liberal government. I say he is putting a penalty upon such men and is thereby putting them in the criminal class——

Mr. FOSTER. I never made, nor have I ever heard any man on this side of the House make a statement such as that put into my mouth by the Minister of the Interior. If he knows that at any time I have made such a statement, or if he knows of any other man here who has made such a statement, it is up to him to give that person's name, the date and the place. If he cannot do so let him rise and make his second apology. It is an honest man and a brave man who will apologize when he finds he has made a bald misrepresentation. Now, either put up or shut up.

Mr. OLIVER. I am within the judgment of this House that to-day the hon. gentleman standing in his place used names and made arguments which absolutely substantiate the statements I have made.

Mr. FOSTER. Mr. Speaker, I ask the hon. gentleman to cite a name or a statement that substantiates either of the two statements he has made. Why, I think the Minister of the Interior has lost his head.

Mr. R. L. BORDEN. The Minister of the Interior said he gave the other side of this case; if that is so then there is only one side to the case and that is the side put forward by my hon. friend (Mr. Foster). The Minister of the Interior ventured to suggest that Mr. Nixon is not an official of the government in the ordinary sense; whatever that may mean. Mr. Nixon received these moneys for the government, he was appointed by the government, he was under the control of the government as is evidenced by the fact that the Minister of the Interior sent a departmental official to investigate the office. And yet the Minister says Mr. Nixon is not under the control of the government in any way, although his office could be investigated and was investigated by an officer sent from the city of Winnipeg for that purpose.

Mr. OLIVER. His accounts were investigated.

Mr. R. L. BORDEN. Oh, his accounts were investigated; is that it? Then Nixon was not under the control of the government but his accounts were under the control of the government. That is a most delicious distinction. That is the ministers view of the situation, is it? Well, if his accounts were under the control of the government, how does it happen that his books and accounts are missing for three or four years and the government have taken no steps about it? That is a pertinent question. If the minister, instead of pumping up a fictitious indignation which he does not feel, and instead of indeavouring to cast abuse on my hon. friend (Mr. Foster) would give us some real information with regard to the matter he would be better discharging his duty. According to the minister this is not a matter for the people of this country; it is a matter personal to my hon. friend (Mr. Foster). The moneys of the government have been taken; the moneys of the government have been withheld, the returns have been falsified and altered; all this has been going on for a long time, and in the end it does not concern the government or the country at all, but it is a matter to be dealt with by the hon. member for North Toronto. That is the statement of the government of this country delivered to this parliament and to the people of Canada through the mouth of the Minister of the Interior. Comment is not necessary. The Minister of the Interior goes further and he says this is a mere family affair, and he suggests that my hon. friend (Mr. Foster) is guilty of the greatest possible indelicacy in pressing upon public attention this purely family matter. Let us see. As the hon. member (Mr. Foster) has said, it is the same old story of the child of a public official upon whom is cast the burden of certain defalcations. The minister told us that it was of no concern to the people of this country as to the date when the son of Mr. Nixon went into that office. I asked him if he did not consider it of some importance in view of the fact that these defalcations, according to the official report, extend as far

back as April, 1901, when the public money of this country was abstracted. These defalcations are now all charged upon the son, and yet the government of the country through the Minister of the Interior states that the date at which the son undertook to perform his duties is absolutely beside the question and not relevant.

Has not the minister read the report on file in his own department. Listen to what his own officials state; I read from the fourth clause of the report:—

> Very often there was a great difference between the dates the moneys were received at sub-agency and dates of remittance to the Dominion lands' office, Lethbridge, the moneys being held by the sub-agent.

Not held by the son or by any one else, but by the sub-agent himself, who is distinctly charged with the offence in the report of this official. Further on:—

> No applications could be found for the following and for which entry fees had been paid to the sub-agent.

Then he goes on to enumerate the items to which he refers. Further on he speaks of the lots of Macleod town site for which 'sub-agent Nixon had received payment.' Not the son of sub-agent Nixon. The son has been mentioned before but he is not mentioned here. Further on he reports that the fact that sub-agent Nixon had received these payments is substantiated by the statutory declaration of one of the persons who paid money to him. Yet this is a family affair according to the Minister of the Interior, and if any remedy is to be sought, it is the duty of some private citizen and not of the government, to protect the people of this country against the defalcations of this man which extended over a number of years. Let us look at one of these declarations, that of G. F. Beere, which was declared at Macleod on the 29th of March last:

> I, Gerald Frederick Beere, of the town of Macleod, in Alberta, do solemnly declare that on the 11th April, 1901, I paid to sub-agent Nixon $30 on account of purchase of lot 13-N, 17th street, West 5th Avenue, Macleod town site.

Not to a son of sub-agent Nixon, but to sub-agent Nixon himself. So far as I understand this report, this is one of the sums which was withheld by this man, and of which no account was sent to the proper authorities. Here is another declaration:

> I, William Henry Struthers, of the town of Macleod, in Alberta, do solemnly declare that I am a brother of J. A. Struthers, who holds sub-agent Nixon's receipt for $30 paid on account of lot 30-N, 20th street, West 5th Av., Macleod town site, dated 2nd June, 1902.

No reference to the son in this solemn declaration. You will bear in mind that these declarations were brought forward and presented to this gentleman in pursuance of inquiries which he himself had made; and we have every reason to believe that if the circumstances were as the Minister of the Interior, without any justification whatever, would have us believe, the fact would have been stated in these declarations, that the money had been paid, not to sub-agent Nixon, but to his son. Under these circumstances, what has transpired? This man is permitted to resign his position, with this investigation, trifling and formal as it was, proving his guilt on the face of the documents themselves, and not out of the mouth of my hon. friend from North Toronto. The son, on whom an attempt is made to cast the guilt, goes away for a few days, and the official making the investigation returns. What transpires then? My hon. friend from North Toronto gave a little too much latitude to the government in the case he made. This report was sent to the government on the 3rd of April, 1905. It would be received, I suppose, about the 7th of April. On the 19th of the same month this man Nixon was appointed to a position in the immigration department at $25 a month, and on the 4th of the following May, about two weeks afterwards, his salary was raised to $75 per month, $25 more per month than the salary he had previously enjoyed. In one sense it does seem to be a little family affair between this gentleman and my hon. friend the Minister of the Interior, and in that sense it is a Liberal family affair, by which a man, who, on the report of an official of the department, has been guilty of defalcation, has been rewarded by promotion. Even if you could cut down the words of this report so as to make it appear that all these sums of money were abstracted by his son without his father's knowledge, still you have the case of a man guilty of the utmost possible negligence, a negligence which no one could conceive possible on the part of a public officer. Can any one of us suppose that a man in a public office could have unknowingly permitted his son to carry on for four years this system of stealing money, altering applications, and concealing the true condition of affairs from the officers of the government? It is incredible; but if it were possible to believe it, it would be the best possible argument for keeping this man out of the service for all time to come. Under the circumstances, the defence made by the Minister of the Interior is, from the standpoint of the government, the weakest and the most unfortunate that I think I have ever heard in this House since I have had the honour of being a member of it.

Sir WILFRID LAURIER. Mr. Speaker, I cannot believe, and, in saying so, I place myself in the judgment of the House, that the manner in which this case has been approached by the hon. member for North Toronto (Mr. Foster) and by the hon. leader of the opposition is warranted by the facts

which have been disclosed. There have been serious errors in the accounts of this man Nixon while he was sub-land agent at Macleod. The errors may have been going on for years. At all events, they were not of a very serious character in themselves, if they are to be judged by the amount, though errors of that kind are always serious, and can never be treated lightly. The amount in which the accounts of this man were short was only $500. As the case has been exposed by the hon. member for North Toronto, the government had reason to suspect that the accounts of this man were not altogether satisfactory. They ordered an investigation, an investigation was held by Mr. Leach and Mr. Martin, the land agent under whom this man Nixon was acting at Macleod. It appears from the report of that investigation that this man Nixon never offered the slightest opposition to it, but that, on the contrary, so far as he could, he gave his services in endeavouring to find out what was the real condition of his affairs. As soon as the fact was ascertained that his accounts were $500 short, he made up the cash and made good the loss to the country. If I understood aright the statement which was read by my hon. friend from North Toronto, it appears that Nixon after all has not a bad record in the community in which he lived, because his friends immediately came to his assistance and helped him to make up the shortage. Under such circumstances, the question arises whether or not Nixon is guilty of blame. Naturally he is guilty of blame; naturally he must be held responsible until the facts are brought out which can explain the shortage. I rather gathered from the report made by Mr. Leach and Mr. Martin that, so far as their information went, the blame was very much due to a son of Mr. Nixon, who took charge of the office, and who profited, so far as profit was made, from the shortage in the accounts.

Mr. R. L. BORDEN. They did not say that. These are their words:

> From the sub-agent we learned that he had trusted the work entirely to his son, and kept little or no supervision of it. The son had left Macleod about the 15th March, and at the time I was there his whereabouts was unknown.

Mr. OLIVER. Might I interject a word? Mr. Nixon received $50 a month salary as sub-agent and I think $25 a month as land guide, and his services as land guide necessarily took him away from the office a great deal, and somebody had to transact the business in his place.

Sir WILFRID LAURIER. I do not know that even the correction which was interjected by my hon. friend the leader of the opposition, really makes any change at all in the statement I made myself. The investigators accepted the statement of Mr. Nixon that he was obliged to trust his son with the management of the office, and it does not seem extraordinary that he should have been. According to my hon. colleague, the Minister of the Interior, this man was occupied in two different capacities, one of which kept him frequently away from his office, and it is not unnatural to suppose that the son was the guilty party. Somebody must have looked after the office while Nixon was away, and therefore the two investigators naturally came to the conclusion that the excuse he offered was a very reasonable one under the circumstances. If it be true that the son was in charge of the office and transacted the business for his father, the father is certainly responsible. That responsibility he at once accepted and made good the shortage in the accounts. But apart from that, there is the moral responsibility which always attaches to the abstraction of money. If Nixon was employed in a double capacity, and if one of them required him to be absent from his office and he had to employ a sub-agent, has he not acquitted himself to the full extent of his responsibility when he made good the amount deficient? Or must he be adjudged himself a criminal because his sub-agent acted in a manner which cannot be defended. That is the only question before the House. Was this man Nixon dishonest? Was he himself guilty of abstraction of money? But if the party who did the work in his absence and accepted the money did not account for it, would any one say that Nixon was morally guilty and should be branded as dishonest?

Mr. LANCASTER. Was the sub-agent prosecuted by the government?

Sir WILFRID LAURIER. I shall come to that presently. The question now is whether or not the government or Nixon are to be held morally responsible for an act committed by the sub-agent.

Mr. FOSTER. Part of these moneys was received in 1901 by Nixon himself according to the affidavits of the men. Certain of those moneys which he did not return, which he made no motion to return, were received by himself. Will he charge that also to the small boy?

Sir WILFRID LAURIER. I was coming to that. My hon. friend threw a sneer at Nixon for putting the blame on his son, and says that this is like the case of Thessalon. It may be that the cases are parallel; but if they are, neither the postmaster at Thessalon nor Nixon can be held morally responsible. The question put by my hon. friend shows that he is convinced that under such circumstances, whether at Thessalon or at Macleod, the father cannot be held responsible for the amount abstracted by some one who acted with his permission

and in whom perhaps he placed too much confidence. In the case at Thessalon as at Macleod it may have been that the father was guilty of having to much confidence in his off-spring. It may be that Nixon was to blame in this respect, that he should have exercised a closer supervision over his son. That no doubt is true; but looking at the case in its worst light, supposing that he did not exercise the supervision he should have done, after all he showed only the weakness of a father, but it does not allow that he himself was dishonest. That is what we have to look at now, and it is that charge of dishonesty against the father which excited the ire and indignation of the Minister of the Interior. The hon. member for Toronto (Mr. Foster) went altogether too far when he branded this man at once as a thief, when he charged him not only by implication but by the very word itself. He had no reason or warrant to use such an expression. and if my hon. friend the Minister of the Interior resented it, I think the hon. member for Toronto in a cooler moment will admit that he gave good cause for resentment. The man was not himself the guilty party except to the extent that he had to answer for his son. But my hon. friend from Toronto (Mr. Foster) says that in 1901, Nixon received money for some town lots and pocketed it. If that be the case, there is no excuse for him.

Mr. FOSTER. Read the report.

Sir WILFRID LAURIER. I have heard it read by my hon. friend and take it as explained by him.

Mr. FOSTER. It is there before you.

Sir WILFRID LAURIER. I will take my hon. friend's reading of it; and I do not believe, if I did read it, I could make it more severe against Nixon. No doubt my hon. friend has taken from it all that could reflect against Nixon, and I am taking the report from my hon. friend.

Mr. FOSTER. I wish you would always do that.

Sir WILFRID LAURIER. If I did, I would often be wrong. I prefer my own judgment to his, coming from his smooth and bitter tongue. It appears that receipts for money were signed by Nixon himself. Is my hon. friend prepared to say that because the receipts were signed by Nixon himself he actually received the money, especially since it is in evidence that this office was frequently managed by his son?

Mr. FOSTER. It is not in evidence at all that the office was managed by Nixon's son at that time.

Sir WILFRID LAURIER. Nor is it in evidence that it was managed by Nixon himself. My hon. friend has been too precipitate on that point.

Mr. FOSTER. Not at all.

Sir WILFRID LAURIER. Yes, as I shall show him. There is evidence in the report of the commissioners, that Nixon had a boy to manage the office. We have no other statement, no other evidence of that than the admission of Nixon himself, but it was accepted as proved by the commissioners; and so far as we know, there is no reason to doubt that it was.

Mr. FOSTER. There was only one commissioner.

Sir WILFRID LAURIER. I understood that Mr. Martin was assisting. Well, let us say there was only one, we must be very particular.

Mr. FOSTER. I think it is necessary.

Sir WILFRID LAURIER. I will be very particular in this as in every case. There was only one commissioner, although I thought there were two. Because, although there was Mr. Leach, who was acting-commissioner, if I understand the matter aright Mr. Leach commenced by going to Lethbridge with the land agent——

Mr. FOSTER. No, he did not go to Lethbridge, but wired the Lethbridge man to bring his books to Macleod.

Sir WILFRID LAURIER. Exactly,—is there any difference? Mr. Leach, instead of going to Lethbridge, sent a telegram to Mr. Martin: Bring your books and meet me at Macleod. And for what purpose? For the purpose of holding an investigation. That investigation was held—notwithstanding the disclaimer of my hon. friend—by Mr. Leach and Mr. Martin. Though Mr. Leach was acting commissioner, in this matter he had the assistance of Mr. Martin. But that is beside the question, and I would not have mentioned it had not my hon. friend (Mr. Foster) interrupted me. There is no evidence that Mr. Nixon employed his son in 1901. True, there is no evidence to the contrary, but it does not matter. All we know is that he had his son in his employ.

Mr. R. L. BORDEN. If I am not interrupting too much, might I ask my right hon. friend is it not important to know the time?

Sir WILFRID LAURIER. Certainly it is. But what I say is that, until we know to the contrary, we must presume that the facts are as I have stated. My hon. friend (Mr. R. L. Borden) will agree that there may be occasion to have a fuller investigation. Had the hon. member for North Toronto stated a moment ago that a case had been made for further investigation and that the facts had not been sufficiently elucidated, I would have said that was a reasonable position. But that is not the position of the hon. member for North Toronto—he at once declares that the man has been proven guilty. I say that we have here no proof of that. My hon.

friend the leader of the opposition (Mr. R. L. Borden) who seems to be a little more moderate says there is a case for further investigation——

Mr. R. L. BORDEN. I think that is what the hon. member for North Toronto said.

Sir WILFRID LAURIER. No, I think that was not what he said. For, if I understood him, he did not ask for further investigation, but held the government responsible and blamed the government for what had been done.

Mr. FOSTER. It might be as well for me to say that I did point out several cases in which the information given us was absolutely incomplete and asked that it be completed.

Sir WILFRID LAURIER. And without asking for the information to be completed he had no hesitation in saying that the man was guilty.

Mr. FOSTER. So far as the evidence goes, he is.

Sir WILFRID LAURIER. I will take the more reasonable view that the record, as I have read it affords no evidence as to when the boy came into the office of his father. We do not know but that the father was compelled to be absent and so had to appoint somebody to act for him. It is true, that, so far as town lots are concerned, it is shown that as far back as April, 1901, payments are made in the Macleod office of $120 which are not accounted for. But there is no evidence to show that this money was paid into the hands of Mr. Nixon though there may be a presumption as regards that.

Mr. R. L. BORDEN. I think the right hon. gentleman (Sir Wilfrid Laurier) has overlooked the affidavit I read of Gerald Frederick Beere.

Sir WILFRID LAURIER. No, I am not overlooking that.

Mr. R. L. BORDEN. Because Mr. Beere makes that statement.

Sir WILFRID LAURIER. He says he paid the money and has a receipt for it.

Mr. R. L. BORDEN. There were two affidavits. One is as the Prime Minister states but the other says ' I . . . solemnly declare that on the eleventh April 1901, I paid to sub-agent Nixon, thirty dollars '—and so on.

Sir WILFRID LAURIER. I had that in mind. But Mr. Beere does not state that he paid personally to the agent a certain amount. It may turn out, when we have a further investigation, if we must have one, that the money was paid into the office. Suppose this gentleman had gone to the office and found the boy there, had paid in the money and taken a receipt, it would have been money paid to the land agent though not paid into Mr. Nixon's own hands. I was particular to note when I received the affidavit that the man did not say he paid the money into the hand of sub-agent Nixon, but simply that he paid it to him. It matters not whether the money was paid to his agent or to himself, the payment was legally made, and the gentleman who paid it has legal recourse against somebody. I understand the leader of the opposition (Mr. R. L. Borden) to say that the fact that this money, which was paid for a town lot, has not been accounted for to the department is likely to lead to serious consequences, because the lots have been handed over to the town of Macleod and the man who paid the money and has improved the lot has no title. Upon the face of the papers, it would appear that Nixon must account for the money and make good the loss, and that the man who paid the money has this recourse against him. This is a serious matter, one involving the man's reputation, a man who has been an honest man all his life, one against whom we have nothing conclusive. So far, it is premature to say that he is guilty on the evidence that has been brought out by the investigation held.

Mr. FOSTER. The Minister of the Interior (Mr. Oliver) said that no further investigation was necessary.

Sir WILFRID LAURIER. If the hon. gentleman (Mr. Foster) will permit me, the Minister of the Interior said nothing of the kind. What the Minister of the Interior said was that there was nothing in this report to show that the man was a thief and ought to be prosecuted. It may be that the boy ought to be prosecuted, but there is nothing in the record to warrant the government in prosecuting the father. Now, I come to the question asked me by the hon. member for Lincoln (Mr. Lancaster). That hon. gentleman asks: Have you prosecuted the boy? I do not know that the boy has been prosecuted. I do not know that he is in the country. I have heard what the hon. member for North Toronto (Mr. Foster)—who appears to be better acquainted with the movements of the boy than either the Minister of the Interior or myself—has stated, that the boy never was further from Macleod than Frank, that he returned to Macleod and he is now to be found there. If that is so, there may be reason to decide what action will be taken in his case. One thing I wanted to caution the House against, and that is the conclusion reached by my hon. friend from North Toronto (Mr. Foster) which, in my opinion is not justified by the facts which he himself has brought to the attention of the House.

Mr. W. J. ROCHE. Of all the weak defences we have ever heard against any accusations made against this government. I think that made to-day by the Prime Minister (Sir Wilfrid Laurier) and the Minister of the Interior (Mr. Oliver) is the limit. When the Minister of the Interior was

making his speech I watched the Prime Minister, and I could imagine that right hon. gentleman (Sir Wilfrid Laurier) groaning in spirit and exclaiming:—'How long, oh Lord, how long!' And I made up my mind that he had mentally resolved that it would be the very shortest time possible before he would open another safe seat to secure a new minister. The hon. Minister of the Interior (Mr. Oliver) lectured the hon. member for North Toronto (Mr. Foster) for lack of dignity. If there is any man in this House who has failed to rise to the dignity of the position he occupies it is the present Minister of the Interior. I do not know that we should blame him for that, because where nature and western civilization combined have not laid the true foundation, we can hardly look for a fine superstructure. The Prime Minister has defended the government on two or three grounds. One is that the money taken in this case was small—only $500. He judges the guilt of the man by the amount. Here is an encouragement held out to every government official—he may surreptitiously do away with the funds of this Dominion, but must not exceed $500. Another ground of defence is that he afforded Mr. Leach the inspector every opportunity to examine his books,—that he aided the investigation. Yes, but he took care that the stubs and counterfoil should be abstracted. Then when he found that somebody was guilty, that some account had to be made, he gave some information, not on oath, but merely his bare statement, whatever information they desired. The Minister of the Interior states that this man cannot be accused of being a defaulter because he has repaid the money.

Now; how many people who have held official positions in this country have started on their downward career by abstracting small amounts in the first place, with the idea of repaying them, but as these amounts grew they found their salary did not allow them to make repayment; and gentlemen who do this are to be held up by the government as guiltless, notwithstanding that they hold official positions under this government. Then again this gentleman cannot be blamed because, as a matter of fact, it is his son who was guilty. Now I would advise the government in future, when they are making appointments to official positions, for goodness sake not to appoint a man who has either a son or a daughter, so that he cannot lay the blame upon them for any crime he has committed. As the hon. member for North Toronto has stated, this is but a repetition of the case of the Thessalon postmaster. That gentleman also was accused of having abstracted government funds, and to screen himself he blamed it upon his daughter; yet he was reappointed to his position, after having been dismissed by the Postmaster General. This person who was appointed as sub-land agent hands in his accounts, gives in his resignation, and affords every opportunity for an investigation, and pleads that he is innocent but it is his son who is guilty. Now the Minister of the Interior has stated that a sub-land agency such as this is merely established for the benefit of the public, not so much in the interest of the government. I would ask him what an official of that character has to do if it is not to accommodate people who are doing business with the government? Why are post offices established throughout the country? Why are they assigned to different localities? Is it not largely at the demand of the people in those localities who send in petitions to the government? And is the government going to hold guiltless any postmaster who was abstracting the funds of the government? This sub-land agent is an official of the government, just as much as if he were the regular land agent; he was paid by the government $50 a month, and the Minister of the Interior has admitted that his accounts should be inspected and audited. It is a remarkable thing that these defalcations had been going on since January, 1901, and only this last spring did the government begin to realize that they had no audit of his accounts, though the minister states his accounts were properly open to government inspection. And this has been going on for the last four years, the government making no audit to see whether this gentleman was keeping his accounts properly.

Now who was it that made this investigation in the first place? It is Mr. R. E. A. Leach, a gentleman of Manitoba notoriety, the hero of the 'Thin Red Line,' the gentleman who was the Liberal organizer for the province of Manitoba during the last election. He did yeoman service on behalf of the Liberal party during that campaign. It was to him that all the returning officers in Manitoba sent their voters' list, and this gentleman fixed them up by scoring out the names of scores and scores of voters by means of a thin red line; and I see that to-day he has been sent up for trial by a magistrate in the city of Winnipeg. Naturally this gentleman would have a sympathetic feeling for this land agent, if he were guilty, and he was sent out to investigate the accounts of the sub-land agency in the district of Macleod. Now what kind of an investigation did he hold? The hon. member for North Toronto has referred to it. In the report made by this gentleman he states that, together with Mr. Martin, agent of Dominion lands, Lethbridge, he held an investigation:

> Together we spent the whole day and most of the night at Macleod, and the following day at Lethbridge, collecting such information as was obtainable re the position of the sub-agency.

What kind of information did he collect? Why, he held his little court in the parlour of the hotel, scarcely anybody in the town knew that such an investigation was going

on. The doors were closed, it was more of a whitewashing investigation than anything else, if we are to judge by the results. Was this an investigation under oath ? He don't say so. What does he report :

From the sub-agent we learned——

On oath ? Here is a man who is accused of being guilty of defalcations to the amount of $500, and from his own statement :

—we learned that he had trusted the work entirely to his son and kept little or no supervision of it.

Mr. Leach did not even put this gentleman on oath, but he merely took his word for it, although he is accused of being the guilty party. But that is sufficient evidence for Mr. Leach. Here was an office established for the accommodation of the public, and the occupant of the office does not exercise any supervision over it, but trusted the work entirely to his son, a mere youth, for I am given to understand that his son today is only 19 or 20 years old, 15 years old four years ago. And this is the way the work is conducted at that sub-agency.

The son had left Macleod about the 15th of March, and at the time I was there, his whereabouts was unknown.

In the town of Macleod his whereabouts were not unknown. He has never been more than 30 miles away, he is now back in the town, and has been there ever since, with the exception of two or three weeks. The government don't seem to be very anxious to punish the guilty party, if the son was the guilty party. But there is really nothing to show he was the guilty party. This gentleman has been reported derelict in his duty under twelve different headings, which have been referred to by the member for North Toronto. A receipt book with stubs used prior to November, 1904, was missing, stubs, were torn off, counterfoils destroyed, moneys retained a long time in his possession without making a return to the government, no credit given for money handed over by men for the purchase of lots, these irregularities amounting to some $500 in all. Now some of these moneys were taken from individuals who resided in the town of Macleod. The town site of Macleod at that time was in the ownership of this government. Private individuals had bought certain lots for which they had paid the sub-land agent and got an interim receipt, the certificate of ownership had not as yet been handed over to them. These moneys had been retained by the sub-land agent, and no return made to the government for them. It turned out that after the government handed over the titles they were vested in the town, the very lots that had been purchased by private individuals from the Dominion government the titles of them were handed by the government to the town, and when these parties applied to the town for their patents, one lot in particular that had been purchased for $30, the town demanded $150 for the same lot. You see the inconvenience the public has been put to. An individual would go and buy a town lot for $30, and pay the government and get a receipt from the sub-agent in his own handwriting, pay the money to the land agent, according to the affidavit read by the leader of the opposition; and then finding those town lots vested in the town, after they were handed over by the government, an additional fee is charged for those lots, of $120 in one case. That is an outrage upon these people, and certainly the government should hold responsible the man who was their official, the sub-agent who was drawing his monthly stipend from this government. All these receipts were in the handwriting, as far as we know, of the sub-land agent himself. As my hon. friend from North Toronto has stated these defalcations had been going on for the last four years. It seems remarkably strange that anything like that should be occurring for four years and the government obtain no knowledge of it until the spring of this year. If the son who is 19 or 20 years of age was responsible for this four years it was a crime for his father to place him in a position to handle public moneys at that age, but there is no evidence to show that his son was in charge of the office in 1901 when these defalcations commenced, when, as far as the evidence show, they did commence. Mr. Leach, who made the investigation, is not at all sure that there are not other defalcations, because he suggests that the cheque that Mr. Nixon claimed was coming to him for $200, the department having held back his pay for four months at $50 per month, be retained by the government until they find out whether these were all the defalcations or not. So that this gentleman who held the investigation was not at all sure that he might not have been a defaulter to a much larger extent. As a result of this what did the hon. Minister of the Interior order?—that the land office be closed. Through the agent's misfortune, as he calls it, the people have been punished by having that land office closed. It was a great convenience. The people admit that. There have been loud complaints sent to the government since that office has been closed, and the hon. minister says that the question whether it shall be reopened or not is under his consideration. But, the people are obliged to suffer not only from the monetary standpoint, but from the standpoint of accommodation by having the office closed simply because of the defalcation of the sub-land agent. Another significant thing is the very fact that this gentleman's wages were held back for four months. It is a most unusual proceeding, when all these sub-land agents have monthly salaries, to hold back $200 that is coming to any of

them. Did the government have any representation made to them that there was a suspicion that everything was not right in this land office? My hon. friend from North Toronto has asked that question. The hon. Minister of the Interior thought that he must attempt to make a reply to my hon. friend, but this reply partook more of the nature of offensive abuse than any valid defence of the government or of its officials. Now this gentleman, it appears, came to the conclusion after his discussion of the mater with Mr. Leach and after seeing Mr. J. Obed Smith, the commissioner of immigration, that he had apparently qualified, having in view the example of the hon. Postmaster General (Sir William Mulock) in connection with the Thessalon post office affair, for an increase in his salary; he thought that his shortage of $500 as a sub-land agent gave him a good pull with the powers that be to get a better position, and the result was that he was appointed by the department at $25 a month as caretaker of the immigration hall, I think it was, which in a couple of weeks was increased to $75 a month, he receiving an appointment as immigration agent. It seems that the Department of the Interior is the haven of all such men as the hon. Postmaster General cannot accommodate, especially in western Canada. The department takes to its heart all who have done yeoman service on behalf of the party, and instead of degrading and punishing them for malfeasance provides them with better positions and larger salaries. I notice that there is a letter written by E. Blake Robertson, assistant commissioner of immigration at Winnipeg, to Mr. W. D. Scott, the Dominion immigration superintendent at Ottawa, as follows:

Dear Mr. Scott,—Mr. Joseph Nixon, who was employed at Lethbridge as sub-land agent, resigned his position there some time ago——

He does not say why. It was very magnanimous for this gentleman to resign his position when the government had been mulcted in the sum of $500.

—and I understand that Mr. Smith and some other of his friends are anxious to secure a position for him, if possible. I have discussed the matter with the commissioner here, and he thinks he would be a first-class man to put on as train checker between Fernie and Macleod, regarding which I wrote you some time ago. Mr. Smith discussed the matter of the position for Nixon with the deputy minister when he was here this week——

It appears that the deputy minister discussed the whole matter with Mr. Smith, the commissioner of immigration at Winnipeg, and that they decided that it would be too bad that a gentleman of the capacity and capability of this Mr. Nixon who had worked so strenuously in the last election even while he was sub-land agent should go without his reward, and that they should give him another position. Mr. Smith himself, the commissioner of immigration, had a fellow feeling with Mr. Nixon because he had been the Liberal organizer before being appointed to his present position. It seems as if that were a necessary qualification now to occupy a high position in the Department of the Interior. The letter goes on:

—and it might be well for you to mention this position to Mr. Cory so that if he deems it advisable the place may be given to Mr. Nixon.

In reply to that Mr. Scott sends the following answer to Mr. J. Obed Smith:

Department of the Interior,
Ottawa, 20th April, 1905.

J. Obed Smith,
Commissioner of Immigration,
Winnipeg, Manitoba.

You may employ Joseph Nixon temporarily to check trains between Fernie and Macleod. Ask McPherson for transportation.

Immediately Mr. Scott responded to the appeal and appointed this person, Mr. Nixon, temporarily at $25 per month. Here is an extract from a letter dated Winnipeg, 4th May, 1905, from Mr. J. Obed Smith, commissioner of immigration, to Mr. W. D. Scott, superintendent of immigration, Ottawa:

I have increased the salary of Joseph Nixon from $25 as caretaker to $75 as immigration agent.

So that this gentleman gets his reward and is now held up as an inducement for every person in the employ of this government to do likewise. So long as they are faithful workers in the Liberal ranks, no matter how they conduct their offices, even if they are defaulters, they have every hope of consideration and rewards and instead of being degraded or dismissed from positions which they have already held they will get promotion to other positions and draw larger salaries.

Mr. Mackenzie has been referred to to-day. Mr. Mackenzie, I understand, is the crown prosecuting attorney, and he was the Liberal candidate at the last Dominion election. I am informed that Mr. Mackenzie actually refused in 1896 to go upon the committee that was formed to work on behalf of the present Minister of the Interior. He would not go upon that committee because of the fact that Nixon and another gentleman named Grady, who is secretary of the Liberal association to-day, were on the committee. He did not think they were men of sufficiently good character to act on a committee with them and he absolutely refused to go on the committee. So that I think that hon. gentlemen opposite have shown to-day how weak a case they have, and I was rather surprised at the right hon. leader of the government (Sir Wilfrid Laurier) putting up the defence he did. No doubt he had to come to the defence of his colleague in the government, but surely, when that gentleman has shown what questionable transactions he can defend during the short time he has occupied

the position of Minister of the Interior, the right hon. gentleman will be getting rather tired of rallying to the support of his colleague, who seems to put his foot in it every time he gets up to make a defence of any case which he is called upon to defend. Had this gentleman been a Conservative official do you suppose he would be occupying the position he is occupying to-day? I have in my mind another Dominion land agent, a gentleman who formerly lived in my own town, who was moved to the land agency in Brandon and who in the elections of 1900, because of his personal friendship for myself, merely wrote a letter to show his own good will. The letter was never replied to or acted upon, but it was stolen from my committee room. I never saw the letter myself, but on the strength of that letter this gentleman, although he had been in the service for twenty years, was dismissed from his position.

He was not a defaulter he was not a partisan, he never was accused of being a partisan. But, knowing there were a few residents of Brandon who had formerely lived in my district and had voted there, he wrote a letter telling me that if I would let him know the names of these persons he would speak to them and ask them to come over and support me at the election. The letter was handed to a committee man acting in my behalf ; I never saw the letter, it was never replied to ; this gentleman never did anything but to show his good will to me ; the letter was abstracted by a leading Liberal politician ; it was sent to the then Minister of the Interior, and on the floor of this House that gentleman stated to me that on the strength of that letter he discharged that official. And yet, here is an official, an active Liberal, whose office is a defaulter to the extent of $500, and he continues to hold a position under the government. That is the way this government discriminates between their political friends and their political foes. It is not necessary to dwell longer upon that ; it is a bad example to set to the public officials of this country. If men can so outrageously trespass upon the rules of every decency of public life ; whether wittingly or unwittingly, whether with the idea they are going to return the money or not, can abstract and use public funds and then when they are discovered refund the money, and can retain their positions in the public service and get an increase in salary just the same as if they had been most faithful officials, then I say, that the government which tolerates this is not encouraging a healthy public opinion in this country, and the conduct of that government must meet with the condemnation of the honest and intelligent people of Canada.

Mr. OLIVER. I have nothing to say as to the remarks relative to myself made by the hon. member for Marquette (Mr. W. J. Roche) I think I may treat them as being beneath contempt. But, as to his remarks with reference to certain private citizens of Macleod, it is worth drawing the attention of the country to the fact that private citizens can be attacked in this House by members of the opposition under cover of their privileges of parliament, as was the character of Mr. Nixon, by the member for North Toronto (Mr. Foster), and the character of Mr. A. F. Grady, of Macleod, by the member for Marquette. I wish to say that Mr. Grady and Mr. Nixon are guilty of being personal friends of mine, and although Mr. Nixon's position is not a prominent one he stands second to no member of this House of parliament in his character for honesty, so far as my knowledge goes. As to Mr. Grady, he is a leading merchant of the town of Macleod, and I do not think there is any man in Macleod or out of it who would allude to Mr. Grady as the member for Marquette has done here to-day under his privilege as a member of parliament. Matters have come to a very low pass in this House when men so abuse their privilege as to speak of private citizens who are not under their criticism in any degree——

Mr. INGRAM. We can very soon clear that up. Did Mr. Mackenzie ever remonstrate with him about Mr. Nixon and Mr. Grady being members of the committee ?

Mr. OLIVER. Certainly not, most emphatically.

Mr. INGRAM. That clears that up.

Mr. OLIVER. Our friends on the other side have evidently spent a great deal of time on this case ; they have evidently gone to the greatest trouble to get particulars in regard to it. It would appear that in regard to what is of interest to certain people in the town of Macleod, there is not a man in Macleod or around Macleod who would take the action suggested by my hon. friends on the other side in regard to this case, because they are too well aware of the circumstances and the character of the people connected with it. It remains for our friends opposite, at the instigation of, I presume some person there—I do not know from which end the instigation comes, whether it is these hon. gentlemen here who are anxious to make a case and stop at nothing in their anxiety to do so, who set spies at work out at Macleod to secure for them information which so far has not resulted in any benefit to them or any discredit to the men affected by it ; whether it is men at Macleod who would not for their own sakes I presume take action there, but who expect to make catspaws of the members of the opposition here in dealing with the affairs of a private family. So far as the department is concerned the case is that an allegation was made, and an investigation was held. With a full belief in the truth of the report made, the blame was not placed upon Mr. Nixon. Now, either Mr. Nixon is guilty or he is not

guilty. In the opinion of the department on the investigation made, he is not guilty and if he is not guilty he should not be punished for the fault of his son.

Mr. FOSTER. Would the minister tell us whether or not the investigation has been finished ?

Mr. OLIVER. The investigation is not finished if any cause is shown for it to be continued. If a reasonable case is shown for an investigation an investigation will always be held. That is not the question befor the House. The question is as to what shall be done in regard to certain allegations of criminality as to which hon. members on the other side have asserted Mr. Nixon is guilty, and as to which we do not believe him guilty. We, holding that belief did not treat Mr. Nixon as a criminal. If gentlemen opposite take the position that Mr. Nixon shall be punished as a criminal because of the faults of his son, they are within the judgment of the country ?

Mr. FOSTER. I am not going to follow the Minister of the Interior in his spasms of indignation. I am quite willing to allow the House and the people of the country who read what takes place in this House, to put their own judgment upon these, as to their value and as to their fitness. The minister seems to think that whenever anything is brought up touching his department, there is something malevolent about it ; that there must be either spies here or spies somewhere else ; that it is almost a personal matter. I beg the minister not to allow himself to run away with any idea of that kind. Before he was a minister things were been brought up in this House with regard to all departments ; since he has become a minister there will be things brought up just the same as before. The very fact that he rises in indignation and throws himself into spasms will not prevent these things being investigated. Neither will any amount of abuse which he attempts to heap upon any member who does his duty in parliament, have the least effect in preventing the ventilation of these abuses. The minister tried to read a lecture to my hon. friend from Marquette (Mr. W. J. Roche) on political ethics, and he said that hon. member had made observations and insinuations against private persons under the guard of his privilege in parliament. Well, I leave the House to judge of that. But, is the Minister of the Interior always in perfect taste himself ? At least fair respect for the powers that be, so long as they keep themselves in an attitude to receive it, is due to them. But what does my hon. friend think of his characterization of the Prime Minister of the Northwest Territories as a heeler, which he applied to him the other night in this House ? Does he think that was particularly respectful and dignified ?

Mr. OLIVER.

Mr. OLIVER. It was my hon. friends opposite who saw fit to bring into the discussion the premier of the Territories ; and when they bring him in, they will have to be satisfied with the way they take him out.

Mr. FOSTER. That is, my hon. friend admits that he abused the premier, not from any fault of his, but because some one on this side brought his name into the discussion. That is one of those beautiful ethical theories which my hon. friend brings from the breezy west, and introduces here with so much unction, and supports with the pronoun 'we,' never 'I.' I am content to take the 'we' ; it implicates the whole government, and the whole government will have to stand behind these definitions. It may afford some amusement and some exercise of heart to the premier to take tomorrow's 'Hansard' and read these definitions of what constitutes a public officer of this Dominion—what is meant by an officer in an ordinary sense, and what by an officer in an extraordinary sense; how justice ought to be meted out, by what particular methods and on what particular authorities; and the fine distinction between a man employed at $100 a month to carry on public business without liability to be interfered with by the government who employs him and pays him in the interest of the country, and that same man carrying on a store and making profits of $100 a month out of his business. I would like the First Minister, who I presume rules and dominates the cabinet—sometimes he does it very much, they say—just to read that over and think it over, and then study out some ingenious way of justifying before parliament such absurdities and heresies as these. The Minister of the Interior thinks I have been setting spies at work at the other end of the line, or that somebody is using me and my associates as catspaws at this end of the line. Would it not be better for the Minister of the Interior to give a little attention to this matter, which has occurred in his own department ? Would it not reflect a little more honour upon himself and upon the government of which he is a member if he would bestow a little more pains on that, and place a little less emphasis on the suppositions which haunt his mind by mid-night and stay by him at mid-day, of catspaws and spies, all set upon Hon. Mr. Oliver, to hunt him down and root him up ? There is nothing of that kind going on. My hon. friend must not think that, because he is Minister of the Interior, the whole world has entered into a conspiracy to dim the halo that surrounds his brow, to pluck one single jewel from the crown that rests on his head, or to take one leaf from the laurel which has been wrapped around it by his admirers in Edmonton. No one has set at work any mechanism to do any of these things. No one in the Northwest

is lying awake at nights to devise any schemes of that kind. If it will rest the soul of my hon. friend, I will tell him that I have received but one letter from Macleod about this whole matter, that I have written no letter to Macleod or anywhere else in reference to it, and that I had my information first from what I saw in the Winnipeg press and afterwards from what I have under my hand. These are all the sources of information that I have had, and they are legitimate sources. The hon. gentleman says that it would be well if gentlemen on this side of the House would not pay as much attention as they are paying to this case. The trouble is that we have to pay attention to it, because the hon. gentleman himself will not. If the hon. gentleman himself would attend to this matter, so much the less would be left to us to do. Now, I think my hon. friend from Marquette (Mr. W. J. Roche) was a little too ingenuous—a little too fresh, we might say—in a compliment paid by him to the First Minister. He said it was rather surprising to him to see the First Minister putting up a defence, and such a defence, of such a case as that which has occurred, and which the Minister of the Interior has tried to defend. I am not astonished at all. I never knew a piece of political villainly which had been brought out and pressed home to the government, or to any of the departments, for which the First Minister was not ready to stand up and find a palliation. When he was in opposition, how virtuous he was! He held up one of his white hands and called on heaven to witness that when he got into power there would be a pure administration of public affairs. What has he been but the apologist of all kinds of political trickery and all kinds of departmental frauds? Never once in this House, when the evidence has been overwhelming against him, has the right hon. gentleman stood up and made an honest protest against what was going on. Any lawyer who went into a court and attempted to put up the defence my right hon. friend has done in this case, would not be allowed to go into court with his gown on again; he would be put out of court. My right hon. friend says there is no case. No, there is no full case; I quite agree with him. The man who, a partisan of the deepest red, was sent to investigate a brother partisan, did not make a complete investigation. He only took some shreds of evidence, which he could pick up without any public announcement or calling of evidence, in a day at Macleod and half a day at Lethbridge, and that evidence covers only about one-tenth of the whole time that this man was in office from 1899 up. And yet the small fragment of evidence, gathered in that way, is as clean and clear as it can be, unless you bring rebuttal testimony, that that man is guilty. Did my right hon. friend bring any rebuttal testimony? Not the least. He dealt in suppositions. Such and such, he said, might have taken place. The boy might have been there in 1901. One man makes an affidavit, not because he is a spy, who threatens to rob the Minister of the Interior of his laurels or his well-earned fame, that he has paid $30—to whom? To a little boy in the office? No, but to Sub-agent Nixon. Another man makes an affidavit that he holds a receipt—from the boy of the office? No, but from Sub-agent Nixon. When these men make these affidavits or declarations, my right hon. friend in court, before learned and wise judges, says: Oh, that evidence is nothing. I will put you up a supposition which will knock it higher than a kite. My supposition is that a little boy was in the office at that time, and that they paid the money to the agency and the little boy scooped it. Does my right hon. friend really put up such a defence in the high court of parliament? This is a case than which nothing could be worse. Oh, the overflowing sympathy of my right hon. friend, when the affairs of the country, and not his own, are in question, and how variable is that sympathy! One time he will plead for the boy, because of the father; another time he will plead for the father, because of the boy; and always the plea is to get a man out of red-handed crime in one way or another. In public trust and public office sympathies have not much place, and misplaced sympathies have still less place in the public interest and in the direction of public affairs.

Sir, you have not held any investigation in that case, nor did the minister intend to hold one. He sent a partisan out there to ask a few questions of another partisan. Was he instructed to take evidence on oath? Did he take it on oath? Neither one nor the other. Did he go there and ask for evidence? People in Macleod would have given evidence had they known there was an investigation, but they did not know anything about it until the inquiry was over. It was held with closed doors, it lasted a few hours, and then the accused was set free. What does an investigation such as that count for—an investigation not under oath? Yet the Minister of the Interior came here to-day on his high horse, and resented any reflection on the proceedings. Then he harked back a little and the First Minister harked back a little and half admitted there was a case for further investigation. I say you have had no investigation. You have had a few questions put but no investigation which would satisfy this House, and I say further that in what has been brought out you have the evidence of guilt, plain and irrefutable. There it lies.

There is another point I want to bring out. It is evidently one of the understood principles and practices of this government that their officials in any department shall put their heads together and get men accused, as was this man, immediately ap-

pointed somewhere else after they felt compelled to resign the places they held. Is that the way appointments are made by this government? If a Conservative were to be found doing what this man did, his head would go off pretty quickly. As soon as Nixon handed in his resignation and was out of office, what took place? Three officials of the department put their heads together and pulled the wires in order to get Nixon appointed to another office. Is that the right kind of thing to be going on? Yet that was what was done in this case. If this action on their part was not right, how comes it that before the investigation was ended, judgment was passed on Nixon by appointing him to a higher office. Not one shred of the evidence was in favour of that man. It was all against him, but the right hon. the First Minister says it was not all completed, and it may not be completed now, yet before the investigation is ended and with the strong evidence there is against him, they made that man one of their trusted well paid officers in the department.

What stuff for the Minister of the Interior to talk about this man not being in his office. Why was he not in his office? Part of the time he was not there because he was engaged in political work. That is the reason why. What salary did you pay him as a land guide? Ten dollars a month. What did you pay him as a land agent? Fifty dollars a month. What as caretaker of the immigration building? Fifteen dollars a month. There you have your salaries, $50 as land agent, $15 as caretaker, $10 as land guide. Yet because of the $10 as land guide, he is out in the woods all the time; and for the $65 for the other two places, he is not in his office.

I have under hand somewhere the instructions sent to the land agents of the government, that they are to keep in their offices and are not to go out as land guides. Those instructions were brought down in the papers relating to scrip, and yet the Minister of the Interior seeks to cover the guilt of this man by saying that because he was paid $10 a month as land guide he was warranted in neglecting the duties to perform which he was paid $65 a month. That is the excuse advanced in his favour for handing over his business to a minor.

Who advised the government of this default? Why is it we cannot get all the papers down? The very first paper we have reads as follows:

> The department is advised of possible serious financial default in the land agent's office at Macleod.

Why is not that advice among these papers. Did it come by letter or by wire? If it did, it ought to be among the papers, and the minister should find out where it is and bring down the missing paper.

Let me sear it into these hon. gentlemen, if it requires that process, that they should see that proper officers are in the departments, that no impropriety is carried on in the departments. Contrast this with the case of a man who had been in the service twenty years, doing good work, and against whom there was not a black mark. That man lives in Brandon and is a friend of the hon. member for that county (Mr. Roche). There is a little argument going on in Minnedosa, and this man wrote Dr. Roche:

> There are some voters, I think, from Minnedosa here. If you send me the names, I will talk to them and see if they will go and vote for you.

What became of the man who committed such a grievous crime as that? He was immediately decapitated. Somebody stole the letter, which was taken as evidence against him and he was turned out on the street. What for? Simply because he did not steal enough public money and have sufficient friends on the right side to get a better office, after he had kept the money he had stolen four years in his possession and only gave it up when the facts came out. That is the manly line of principle upon which this government acts with reference to its officers. It was just the same in the Thessalon case as in the Nixon case. The actual defaulter, who threw the whole guilt upon his daughter, was let go free and then appointed afresh to office. This in spite of the evidence which showed that the money wrongfully taken out of the public till he used in his own private speculations. The right hon. gentleman had nothing to say about that. Then this man Nixon took the public money in 1901 and kept it up until 1905. Let me ask: If nothing had come out, how much longer would he have kept it? How long must a man use the public money in his own business before he becomes a defaulter? The First Minister says that this man in Brandon to whom I refer, was dismissed because he wrote a letter to a friend of his, although he had been twenty years in the employ of the government doing good service. Does the right hon. gentleman justify that? Will he give a square answer to that question now, with all his sympathies fresh in him? Let me take him just at this physicological moment. Here is the case of a man, a good Conservative, who had been twenty years in a public office, without a black mark against him, who had done the work of his office all this time, and done it well. In simple earnest good-will, he wrote a letter to a friend of his saying:

> I see you are having an argument there. There are a few voters, I think, from Minnedosa here. If you send me your names, I will ask them to go and vote for you.

Would the right hon. gentleman dismiss the man who wrote such a letter? Would he throw him on the street? Will he get up

now and say that he thinks that to dismiss that man was a first-class act to do ? Will he? I pause for a reply. The right hon. gentleman will not reply. Yet he overflows with sympathy for this other man, who for five years kept the public money in his pocket and never gave it up until he was discovered.

But, while this is the course of one minister, the Postmaster General (Sir William Mulock) dismisses a postmaster because the majority in the polling division in which that postmaster lived was Conservative ; and he re-appointed a man who had embezzled a thousand dollars and more, and who used a part of it, according to the report of the investigator, in his private speculations. All the milk of human kindness in the hon. gentleman's heart is for such an officer as that, but he has no sympathy for the honest man who was dismissed for partisan reasons. This was not a serious error, the Prime Minister (Sir Wilfrid Laurier) tell us. What would be a serious error ? Was the Martineau error a serious one ? an error which would not have taken place but for the Prime Minister himself, for he in spite of the civil service rules appointed a man of no experience who afterwards became a defaulter to the amount of $80,000. That comes from following wrong principles. But, while the civil service rules are ignored to appoint such men to office, we find that a man who has been twenty years in office, who has no black mark in his record, if he dares to write a sympathizing letter to a friend in the election, must be dismissed. Not a serious error, says the Prime Minister. What would be a serious error? I would like to have the right hon. gentleman's definition of that expression. I suppose a man is guilty of a serious error who finds himself in the position of a man in my own county. I have spoken of this before. This man was a lighthouse keeper, but had never taken part in elections. But the government dismissed the lighthouse keeper as an offensive partisan because of blood relationship with the man who had worked for the Conservative party. The error of Nixon was not a serious one, says the Prime Minister, if you judge by the amount. That would make a fine argument before a court of justice ; make a limit of say $1,000, and if a man takes less than that it is not serious, if more than that, that he has been guilty of a serious error. Another thing in Nixon's favour, the Prime Minister tells us that this man did not oppose investigation. Think of that, Mr. Speaker. This man who had embezzled funds of the country and kept them for five years, when he was found out, actually had the grace not to knock the man down who carried on the investigation into his operations. He gave right in. Well, most people of that kind do. But, before he gave in, he took good care that there should be no stubs from 1899 to November 18th, 1904. The Prime Minister says there is no proof against him. Even in the small fringe of time over which the investigation has gone, there is absolute proof against him. But, if you were to take into account the four years not covered by the investigation, it might occur to somebody to believe you would find him four times more guilty. The Prime Minister tells us that Nixon, must be loved by the men of Macleod. Why ? Because they joined together to pay his deficiency. What a position for a Prime Minister to take—to excuse a criminal because a number of his friends to save him from jail, put up a certain amount of money. Supposing this does show friendship, is that to be his passport to another office which requires honesty, diligence and unceasing care ? The Prime Minister tells us that there is no evidence that the money was paid into this sub-agent's own hands. No evidence ? What is an affidavit for ? The affidavit says that the money was paid to the sub-agent. And the Prime Minister spends ten minutes in defining these words. The man who makes the affidavit does not say that he paid it to the sub-agent personally. No ; and he does not say that he put it into the sub-agent's right hand, or that he put it into his left hand, or that he stuffed into the sub-agent's trousers' pocket. Therefore, says the Prime Minister, we have a right to assume that it was paid to some agent of the sub-agent. How would a lawyer like to appear before a court of justice, before a wise strong judge, and make such an argument as that ? And then the Prime Minister says that we seem to be better acquainted with the whereabouts of this boy than is the Minister of the Interior—he sneers at us for that. Well, it is not to your credit that we know more about it than you do. One of these two men is a criminal —there is no doubt about that. It is not to your credit as a government that we have to find the whereabouts of men who embezzled public funds. The government should show reasonable diligence in looking after these people. We had to do it because you utterly refused to do it. And the Minister of the Interior has refused this very day. He says : Do it yourself ; enter a private prosecution ; do anything you like, but do not come here and abuse private citizens. What a position for a minister to take. There have been many ministers from confederation to the present time, and many members of those ministries ; but I doubt if ever there was a member of any ministry who would present a defence upon the lines followed by the Minister of the Interior. What will the government do about it ? Will they appoint an honest man, a non-partisan to make a thorough investigation, have that investigation held in public and witnesses duly called, and get at the bottom of this matter ? Will they withdraw the appointment of Mr. Nixon from the new office until that investigation is finished ? Or will they condone the embezzlement and theft and show

themselves unworthy to carry on the affairs of this country ?

Mr. A. JOHNSTON. It is very evident that the hon. member for North Toronto is angry that he has so little to find fault with in the administration of those who have had charge of the country's affairs for the last ten years. He is angry because these gentlemen have chosen not to follow the path which he marked out when he was a member of the Dominion administration. He rails against the Prime Minister and the Minister of the Interior because under this administration no money has been stolen from the people. In his day it was entirely different. Since then, new methods have been introduced. The filching of money from the pockets of the people has been done away with. The contrast makes him angry, and he cannot conceal his anger. He uses many strong words, but can he say that one dollar of this money that he speaks about has been lost to the people of Canada ? Of course he cannot. He could have told a different story before 1896 when he was administering the affairs of this country ; he could have told the country then that, with his consent, thousands and thousands of dollars of public money was being stolen without value given for it. It was all very well in those days, and it is because, forsooth, these methods have entirely disappeared that the hon. gentleman has obstructed all our proceedings for more than an hour.

Mr. W. F. MACLEAN. What are you doing ?

Mr. A. JOHNSTON. Before I sit down I am going to tell my hon. friend what I am doing. I am going to point out some reasons why this country should wake up and realize the true character of the hon. gentleman who undertakes to lecture the members on this side of the House this afternoon. I propose to give a few chapters of his history. There may be some people who would like to forget that the hon. member for North Toronto has a past, but thank God, there are enough honest men in this country never to forget the fact that he was an important factor in the government of Canada previous to 1896. But before I pass on, I want to refer to the case brought to the notice of the House by the hon. member for Marquette (Mr. W. J. Roche). He complains because a certain official of this government was dismissed for having written a letter offering him some slight assistance, and the soul of the hon. member for North Toronto is disturbed. Now those of us who have read his history know mighty well that his soul is not disturbed at all ; those of us who know his history know that he was himself guilty of crimes in that direction far more heinous than those recited by the hon. member for Marquette. Let me call his attention to the case that occurred in the county of Victoria, N.S. Has he forgotten about the dismissal of Samuel Campbell, light-keeper at St. Paul's island ? The people of Nova Scotia have not forgotten it, nor the people of New Brunswick. Talk about writing a letter to a candidate running an election ! Here was a gentleman who wrote a letter to a personal friend of his, a gentleman who enjoyed his hospitality for a number of years. He writes a letter, not upon any matter pertaining to the Dominion parliament. He was a municipal councillor in the county of Victoria, and Mr. Campbell wrote to him suggesting that he should give his support to a certain candidate who wanted to become warden of the county of Victoria. That was the crime committed by Sam. Campbell. And what happened to him for having written that letter ? The government dismissed him. He had been twenty years in office, he was a good officer, yet because he chose to write a letter to a friend of his who was a municipal councillor, he was dismissed from office. But that was not all. The man who gave away the letter written by Sam. Campbell was taken by the hon. member for North Toronto and given a position in the civil service. The hon. gentleman paid him for giving away Sam. Campbell's letter, and he was not a bit disturbed about it in those days. But he is disturbed in these later days because an offence which falls very far short of the one I have mentioned has not been punished. These things are known in this country, and the people in my province do not propose to forget them. Now it is almost pathetic to hear the hon. member for North Toronto indulge in philippics against this side of the House as to the way the business of the country is being conducted. Well, I do not blame the hon. gentleman for being dissatisfied with the manner in which the affairs of the country are being conducted to-day. He is angry, no doubt, because there is not a nest of traitors on this side of the House, and he cannot conceal his anger. Time was when nothing suited him better, when he could not live as a matter of fact without being in the midst of a nest of traitors. He made a reputation at that time, he is disappointed now. He has been wandering about this country for the past five or six years, and is somewhat out of touch with the situation. He was thrown down severely by his friends at the beginning of the present session, and he has taken this means of punishing them. He is sore on them. What was the spectacle that was presented to the people of this country when this parliament opened in January last ? We saw the member for North Toronto sitting in the front seat of the opposition, surrounded by whom ? Was he surrounded by his friends ? They gave the best evidence that they were not his friends. There can be no clearer evidence of it than the fact that they refused to have him as the leader of the party. So far as I am concerned, I do

not propose that these things shall be forgotten by the people of Canada, and when he undertakes to stand up and lecture this side of the House as to how public affairs should be administered, I propose to tell the people exactly what sort of a man he is. Who is he ? Well, he was in the province of New Brunswick for a time. If reports speak correctly he was returned as the representative of the county of King's, N.B. The people in the county of King's, in a moment of weakness, perhaps, returned my hon. friend, but it did not take the people of King's very long to find him out and just as soon as they found him out, out he went.

Mr. LANCASTER. They have been sorry ever since.

Mr. ALEX. JOHNSTON. They have given no evidence of their sorrow. They have taken a very peculiar way of expressing their sorrow because they have taken pretty good care never to extend an invitation to him to return. He was next returned, where?—in the county of York, New Brunswick. In another moment of weakness the people of the county of York, New Brunswick, returned this hon. gentleman, but they discovered their mistake and just as soon as they discovered it they put him on the plank and sent him clean overboard. Well, he had to find some other place. He was determined to stand by and he landed in the city of St. John. We all know what happened. The people of St. John knew him and they never let him in at all. The counties of King's and York made the mistake of having let him in but the city of St. John shut the door at once and not only did they turn him out of the city of St. John, but they turned him out of the province of New Brunswick completely and from that day forward he never went back and it is safe betting that he will never go back.

Mr. LANCASTER. What was the amount that he stole?

Mr. ALEX. JOHNSTON. Who ?

Mr. LANCASTER. The gentleman you are talking about.

Mr. ALEX. JOHNSTON. I am bound to say he has never taken me into his confidence as to that. I could never hope to have the confidence of the hon. gentleman upon that subject, but if my hon. friend desires to ascertain I would suggest that he commune with him as he is his friend.

Mr. LANCASTER. We are talking about the stealing of public money and I believed that the hon. gentleman is trying to justify one stealing by another, but I cannot see the aptness of his argument.

Mr. ALEX. JOHNSTON. I am not attempting to justify any stealing of public money.

Mr. LANCASTER. I thought that was what you were talking about.

Mr. ALEX. JOHNSTON. I quite understand this is a sore subject with my hon. friend, but I am bound to say that he would have known all about the stealing of public money if he had been sitting in the House behind the hon. member for North Toronto when the government of which he was a member was permitting the stealing of public money.

Mr. LANCASTER. Were they prosecuted ?

Mr. ALEX. JOHNSTON. It is safe betting that if my hon. friend had been sitting behind the hon. member for North Toronto that time he would have supported him loyally in such jobs as the Curran bridge and other scandals of that day.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Some hon. MEMBERS. Question.

Mr. J. G. H. BERGERON. When the House rose at six o'clock the hon. member for Cape Breton (Mr. A. Johnston) was speaking, and it was expected he would continue his remarks. He was then referring to the Curran bridge, and he evidently wanted some one on this side of the House to answer him.

Some hon. MEMBERS. Question.

Mr. BERGERON. No. I want to tell the government that if they are at all anxious for the despatch of public business this session they will have to abandon such tactics as those they indulged in this afternoon. The hon. gentleman from North Toronto (Mr. Foster) discovered what he considerd an act of dishonesty in the administration of public affairs in the western part of the country, and after a great deal of labour to himself he exposed it, as it was his duty as a member of the opposition to do. The Minister of the Interior answered, not as a minister of the Crown who was interested in seeing the public treasury guarded, but in a heated and partisan way. The right hon. the Prime Minister also put in a defence. I knew the right hon. gentleman was a good lawyer, but I never thought before that he was so good at defending a bad case, and the impression I gathered was that he seemed to know very little about the matter under discussion. Then the hon. member for Cape Breton rose, not to discuss the question, not to disprove the accusation brought by my hon. friend (Mr. Foster), but to indulge in abuse against that hon. gentleman. I have been sitting with my hon. friend (Mr. Foster) for many years in this House, and I can say that

there is not a more honest man in this whole country——

Some hon. MEMBERS. Oh.

Mr. BERGERON. Yes, I assert that without fear of contradiction. My hon. friend has been a minister of the Crown for years, and not one charge has ever been even hinted against him. The hon. gentleman from Cape Breton spoke about my hon. friend (Mr. Foster) having been defeated in some constituencies. What has that to do with the case? Good men, not only Conservatives, but Liberals, have been defeated. Why, the right hon. the Prime Minister himself, probably one of the most popular men in the Liberal party, was beaten in his own constituency. The hon. gentleman from Cape Breton spoke about the honesty of the government and the honesty of the party in power. Well, his party is now spending twice as much as ever was expended by any previous government; and as to honesty, we know they will not grant an investigation when charges are laid; and we know further, that during the eighteen years the Conservatives were in power the McGreevy scandal and the Curran bridge business were the only two things that were ever shown to have been wrong. And by the way, does my hon. friend (Mr. A. Johnston) know anything about the Curran bridge?

Mr. A. JOHNSTON. Yes, I do.

Mr. BERGERON. He does not appear to know much about it. I can tell him that there was an investigation granted, and during the course of that investigation, although the witnesses were examined by Liberal lawyers who were paid $100 a day, not a single accusation could be brought against any minister of the Crown or against any member of parliament.

Mr. McKENZIE. What about the cost of the bridge?

Mr. BERGERON. The cost was due to a variety of circumstances. As a proof that there was no stealing about it, I may tell my hon. friend that Mr. St. Louis, the contractor, was sued by the Conservative government, the suit was continued by the Liberal government, and after going from court to court, to the Privy Council in England, Mr. St. Louis was acquitted and no stain attached to any one who had to do with that public work. It is all very well for these gentlemen opposite to talk about the Curran bridge and the McGreevy scandal, but we can put our finger to-day on many transactions that are a great deal worse. There is one thing I heard the other day, and which will probably come before the House during the present session. There is another bridge in the province of Quebec; there is a bridge called the Sorel bridge. That Sorel bridge was built as a railway bridge, and under the authority of the law the federal government pays 15 per cent of the cost to aid in the construction of such bridges. There was a report made to Council, and the government of Canada was on the eve of paying 15 per cent on $219,000 as the cost of the construction of that bridge. It was declared that the bridge had cost $219,000, but it occurred to the Auditor General that there was something wrong about it, and on his own behalf he sent Mr. Keefer, an engineer, to make an inspection, and the report of the engineer was that the Sorel bridge could not have cost more than $119,000. The Auditor General then went to Mr. Schreiber, the Chief Engineer of Railways and Canals, and he found out there that the Sorel bridge had only cost $98,000, while the government was ready to pay 15 per cent upon $219,000. That is one of the few acts of the administration of this government that will probably come out before the end of the session. When the Liberals were in opposition and the Conservatives were in power an investigation was granted whenever they asked for one; the books of the Department of Public Works and of Railways and Canals were open for inspection; their own lawyers were paid $100 a day to conduct the prosecution on their behalf, and all they found out was that it cost more money per yard than it should have cost for excavation work at Point Lévis. Is that any worse than this government calling for tenders for $200,000 worth of dredging at Fort William and only giving two days' notice for outside contractors to tender? I gave one example of the acts of this government in relation to a bridge, but there are others. However, this is not the time nor the opportunity to ventilate them. It is no pleasure for the opposition to examine into volumes of books and piles of papers to see if the public business is properly conducted, but we go to this trouble, feeling that it is our duty, and when we do so we are abused by the government and its supporters just as the member for North Toronto was abused this afternoon. I am surprised that my hon. friend from Cape Breton (Mr. A. Johnston) should have spoken as he did, for I do not think it is in his nature. The member for North Toronto was discharging his public duty, and he was entitled to praise rather than to censure. The member for North Toronto works hard in this House as a member of parliament, and if every member worked as hard as he did and was as devoted to his public duties, probably more scandals would be unearthed. And now as to public employees. A word was said this afternoon about some employees who have been able, under this good government, to steal as much as $75,000 or $80,000. There is another case which is not quite ripe yet for publicity, but probably before the end of the session it may be shown that this government are not

alive to the best interests of this country, that they are loose in their methods and that things have been done which, if they were done by a Conservative government, the opposition would keep the House six months in session to denounce them. We know that the government is to-day spending $85,000,000, when ten years ago the public expenditure was only $42,000,000. The expenditures have increased by about 200 per cent, while the population has increased by only about 1 per cent. What is the meaning of that? The meaning is that a great deal of the public money is squandered and lost because the ministers or their employees have not their eyes wide open to the interests of this country. The Hon. Alex. Mackenzie was an honest man, and what did he write one day to a friend? That he had to lie down on the public coffers in order to prevent his friends putting their hands into them. It was his government that appointed the present Auditor General. We had that gentleman for eighteen years, and we never spoke of having him dismissed, nor did we try to make his life such that he wanted to retire. We stood by Mr. McDougall. Although some ministers were dissatisfied with his rulings, they bowed their heads to them, because the law required it, and they prevented the waste of public money. But to-day this government are doing all in their power to get rid of the Auditor General. When he threatens to resign unless there is a change made in the Audit Act, they are glad of it, and they will not change the Act because they want to get rid of him, and because they want to have in their hands the expenditure of about $200,000,000 on the Grand Trunk Pacific, and wish to have an Auditor General who will not interfere with them. We sometimes hear it said that the people are in favour of the expenditure of public money. But it is the duty of the opposition, though it is not a pleasant duty, to do as the hon. member for North Toronto did this afternoon. We are all supposed to be here in the interest of the country, and whatever we on this side of the House do, we do it sincerely in the best interests of the people. I have to express my sorrow that the hon. member for Cape Breton spoke as he did this afternoon. I hope it will be the last time, when we bring accusations against the government, that personalities will be indulged in or that an attempt will be made to cover with ridicule any man on this side of the House who tries to do sincerely and honestly what he considers to be in the best interests of Canada.

Motion (Mr. Foster) to adjourn, negatived.

NORTH ATLANTIC CABLE COMPANY.

Mr. URIAH WILSON. Before the Orders of the Day are called I would like to ask the Minister of the Interior when he will lay on the table the contract of the North Atlantic Cable Company with the government?

Mr. OLIVER. It will be ready in a very short time.

Mr. URIAH WILSON. It should not take very long to prepare it as it fills only three or four pages.

PRIVATE BILLS.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 151) to incorporate L'Union Saint Joseph du Canada.—Mr. Belcourt.

Bill (No. 175) respecting the Pacific Bank of Canada.—Mr. Galliher.

SECOND READINGS.

Bill (No. 177) respecting certain patents of David Thomas Owen.—Mr. Stewart.

Bill (No. 178) respecting the Canada Central Railway Company.—Mr. Dyment.

Bill (No. 179) respecting the Brandon, Saskatchewan and Hudson's Bay Railway Company.—Mr. Turriff.

Bill (No. 182) respecting the Sterling Bank of Canada.—Mr. Campbell.

Bill (No. 183) respecting a certain patent of the Metal Volatilization Company.—Mr. McCool.

Bill (No. 185) for the relief of Isaac Pitblado.—Mr. Bole.

QUESTIONS.

MAJOR JOHN WALSH.

Mr. HENDERSON asked:

1. Has Major John Walsh, chief superintendent of the Dead Letter Branch of the Post Office Department, been superannuated? If so, from what date?

2. Has George J. Binks been promoted to fill the vacancy caused by the retirement of Major Walsh?

3. Why has George R. White, who is senior in the branch, and has been performing Major Walsh's duties for fifteen months, been passed over?

Right Hon. Sir WILFRID LAURIER (Prime Minister):

1. Yes, from the 1st of June, 1905.

2. Yes.

3. Because it was considered that the public interest would be best served by the appointment of Mr. Binks.

MR. F. COLSON.

Mr. HENDERSON asked:

1. Is F. Colson employed as chief clerk and accountant in the Department of the Secretary of State?

2. When was he first appointed to such position?

3. What is his present salary, and has the same been increased recently? If so, when, and how much?

4. Does Mr. Colson perform services for any other department, and from whom does he receive instructions for such additional services ?

Sir WILFRID LAURIER :

1. Yes.

2. Accountant, July, 1885; chief clerk, July, 1904.

3. (a) $1,950. (b) increase on promotion, July 1, 1904, $100.

4. No.

ALIEN LABOUR ACT.

Mr. RALPH SMITH asked :

1. Is the government aware that the Alien Labour Act has been declared by Judge Anglin to be ultra vires of the Dominion parliament ?

2. Does the government concur in this judgment ? If not, why not ?

3. What action, if any, does the government purpose taking, and when, to determine the rights of the Dominion to pass legislation of this character ?

4. Can an appeal be taken from the judgment referred to ?

5. What bearing has Judge Anglin's judgment upon (a) the Chinese exclusion legislation ; (b) the powers of Dominion health officers to exclude diseased immigrants from Canada ; (c) the power of the Dominion to detain, punish and deport poachers in Canadian waters ?

6. Has the whole Act been declared ultra vires ? If not, then what part is affected by the decision ?

7. Has the government yet determined upon introducing amendments to the Act ?

8. Has any counsel been appointed to represent the interests of organized labour with the Père Marquette case ? If so, who ?

Hon. CHARLES FITZPATRICK (Minister of Justice). Some of the provisions of that Act have been declared ultra vires. The government does not agree in that judgment, and it is our intention to apply to the Privy Council for leave to appeal. I do not think it necessary to say what effect that judgment might have with respect to other legislation on this question. As far as the proceedings are concerned, the Dominion of Canada will be represented by Mr. Shepley, of Toronto, and by Mr. Newcombe, Deputy Minister of Justice. I do not know of any other interest affected at present.

SECRETARY OF STATE'S DEPARTMENT.

Mr. HENDERSON asked :

1. What was the number of employees in the Secretary of State's Department at 31st December, 1904 ?

2. What was the amount of the salary of such staff, including as well the salary of the Secretary of State and Under-Secretary of State, for the year 1904 ?

3. What was the total revenue of the said department for the year 1904 ?

Right Hon. Sir WILFRID LAURIER (Prime Minister) :

1. 29.

2. $46,670.00

3. $58,256.35.

Mr. HENDERSON.

PROVINCIAL GOVERNMENT IN THE NORTHWEST TERRITORIES.

House in committee on Bill (No. 69) to establish and provide for the government of the province of Alberta.—Sir Wilfrid Laurier.

Mr. R. L. BORDEN. Before we begin, I might say to the hon. the Minister of the Interior that the information which I have received, with regard to a portion at least of what I have asked, is not of very much use. What I asked for was the estimated population of each constituency as on the 1st of July, 1905. What I have got is a statement from the census, which I could have made out myself, of the population of each constituency in 1901.

Mr. OLIVER. I asked the Census Commissioner for such an estimate and he said he could not give me an estimate that would be of any value.

Mr. R. L. BORDEN. I was not depending altogether upon the Census Commissioner. As the government were delimiting certain constituencies, I presumed they would have an estimate of the population, because I thought that the delimitation must have proceeded upon an estimate of some kind as to the population of each constituency. I knew we had the information given in the census and thought it had already been given. It may be of some service, but it is not what I asked for.

Mr. OLIVER. We have said that, so far as the population is concerned, the calculation is based on the census, the voters' lists and the votes cast. These seem to be the only authoritative information I can get.

On schedule section 1,—Medicine Hat,

Mr. R. L. BORDEN. The area of this division, according to the statement which I have from the hon. minister, is 13,680 miles. Has the present constituency of Medicine Hat been enlarged?

Mr. OLIVER. It has been by extension northward about ten townships, but that does not make any serious difference in the population, as that part of the country has very few people. In fact my information is that it has none.

Mr. R. L. BORDEN. I thought that, according to the argument of my hon. friend the other day, the area was the important thing.

Mr. OLIVER. It has some bearing, but in this case the area does not affect the population.

Mr. R. L. BORDEN. Could the hon. gentleman (Mr. Oliver) give the estimate of the present population of this division, Medicine Hat ?

Mr. OLIVER. As I have said, I am unable to give any estimate of the present popula-

tion except on the basis I have made—a calculation based on the census, the voters' list and the votes cast in the last election.

Mr. M. S. McCARTHY. Did the hon. minister say there were ten townships added to Medicine Hat ?

Mr. OLIVER. I have not one of the original maps. I may have been giving too much. The hon. gentleman himself probably has the area.

Mr. M. S. McCARTHY. If there are ten north and south, there are ten east and west—100 altogether.

Mr. OLIVER. As I say, I have not one of the old maps.

Mr. M. S. McCARTHY. I have one here.

Mr. OLIVER. The hon. gentleman, then, can give us the correct figures. We will accept them.

Mr. R. L. BORDEN. What kind of country is it ?

Mr. OLIVER. Clear, open prairie ; what we call a grazing country ; rather inclined to be dry but with good grass and suitable for grazing; not such a country as to attract farming population up to the present time, partly on account of its dry character and partly on account of its distance from railway communication.

Mr. R. L. BORDEN. Is it a country that is to be irrigated ?

Mr. OLIVER. It is not in the irrigation tract.

Section agreed to.

On schedule, section 2—electoral division of Cardston.

Mr. R. L. BORDEN. The area of this division, according to the statement I have, is 2,970 square miles. That is correct, so far as the minister knows ?

Mr. OLIVER. Yes. There is no alteration in that from the old electoral district.

Mr. R. L. BORDEN. The government has no information as to the population of this constituency other than he has stated with regard to Medicine Hat ?

Mr. OLIVER. Of course, there is information contained in the sheets which I gave with relation to the towns in the different districts, and there are towns in the district of Cardston.

Mr. M. S. McCARTHY. Does not this overlap Pincher Creek in the southwest corner ?

Mr. OLIVER. It is an error if it does.

Mr. M. S. McCARTHY. For Cardston, the Belly River is made the boundary and for Pincher the range line between 27 and 28 is made the boundary. These overlap the southwest corner.

Mr. OLIVER. According to the map, the river and the range line are the same in that particular place.

Mr. M. S. McCARTHY. When a river is given as the boundary would it not be better to define the boundary as the centre of the stream ?

Mr. OLIVER. Perhaps it would. I do not know exactly what the legal definition is.

Mr. M. S. McCARTHY. I am not speaking of the legal definition. But there are islands in these rivers, and when you merely give the river as the boundary you are apt to create confusion. The same is true of range lines or meridians—nothing said with regard to road allowance, so that you may have people on both sides of a road which is the boundary trying to vote in the same constituency.

Mr. OLIVER. I think that is provided for in the description of the surveys of Dominion lands—that when you speak of a line, you speak of the surveyed line, which is on a certain side of the road allowance in all cases. So, I think that is defined by the Act.

Section agreed to.

On schedule, section 3—electoral division of Lethbridge.

Mr. R. L. BORDEN. It speaks here of 'the 14th township.' Should the word be 'township' ? Or has something been omitted ? Or does it mean that there is a range of townships all numbered fourteen ?

Mr. FITZPATRICK. That is it.

Mr. R. L. BORDEN. The area of this constituency, according to the statement the minister has handed me is 4,860 square miles. That I presume we may accept as correct. I merely read these figures to place them on 'Hansard' and to afford opportunity for correction in case any error has been made.

Mr. OLIVER. All the computations have been very carefully made in the department. I cannot vouch for them myself personally, but I believe they are absolutely correct.

Mr. INGRAM. What is the area of No. 2 ?

Mr. R. L. BORDEN. 2,970 miles, according to the statement the hon. minister has handed in.

Section agreed to.

On schedule, section 4,—electoral division of Macleod.

Mr. R. L. BORDEN. The area of this division is 3,063 miles according to the statement the hon. minister has handed in. That I assume we can accept as correct.

Mr. OLIVER. I would like to move that a change be made in the boundaries between Macleod and Pincher. I need not explain

to the committee the reason for that necessity as I have consulted with the hon. member for Alberta (Mr. Herron) on the subject. This is a mere change in detail which we think will be more satisfactory to the people of both electoral districts. By the change proposed the north boundary of Pincher would be the north line of township 11. Starting at the summit of the Rocky Mountains and running due east on the north line of township 11 to the 5th meridian, then south 6 miles on the 5th meridian, then east to the east line of township 29, then south 12 miles, instead of 6 miles as shown on the map, then east 6 miles to the west line of range 28, then south, as shown on the map, to the southwest corner of the Piegan reserve, then running easterly along the south boundary of the Piegan reserve to the line between ranges 26 and 27, then south to the Belly river and follow the Belly river to the Cardston boundary, then follow the Cardston boundary to the Rocky Mountains, then follow the summit of the Rocky Mountains to the place of beginning. The changes, while they will make some considerable changes in area, will make very little change in the population and we believe this will be more satisfactory to the people affected. We have received letters from the people there asking for some of these changes.

Mr. R. L. BORDEN. Does it take away from or add to the area of Pincher ?

Mr. OLIVER. It takes somewhat away.

Mr. R. L. BORDEN. How much ?

Mr. OLIVER. It takes away 15 blocks from Pincher and adds them to Macleod. In one place it takes one township from Pincher, in another it adds a township to Macleod and in another it takes a township and two fractions of a township from Macleod and adds to Pincher.

Mr. FITZPATRICK. It recasts the boundary line taking from each and adding to each ?

Mr. OLIVER. Yes, just merely to observe the community of interest.

Mr. R. L. BORDEN. Is the net result about this, as far as the area is concerned, that it takes away from Pincher and adds to Macleod ?

Mr. OLIVER. It takes away 16 townships from Pincher and takes away about 2 townships from Macleod, a net loss to Pincher of about 14 townships.

Mr. R. L. BORDEN. That is about 320 square miles.

Mr. HERRON. Before that passes I would like to have the word 'creek' added to the name.

Mr. DEPUTY SPEAKER. We have not come to that yet.

Mr. OLIVER.

Mr. INGRAM. Are we to understand that while we can have the area the government is not in a position to give us the estimated population in each electoral district ?

Sir WILFRID LAURIER. I understand there is very little population in those districts.

Mr. INGRAM. Surely we are entitled to have some estimate of the population in those electoral districts. On what did the government base this delimitation ? Simple area ?

Sir WILFRID LAURIER. I understand that one of the reasons given is to take the area of the land which is drained by a certain river or creek.

Mr. R. L. BORDEN. The right hon. gentleman does not quite understand the inquiry of my hon. friend (Mr. Ingram), which I also made myself a while ago. The right hon. gentleman was asked whether he could not, as we go along, give for each constituency an estimate of the actual population at the present time. That is what I had asked for Friday night, and have not yet received.

Sir WILFRID LAURIER. I am afraid it is difficult to make an estimate of the present population. There has been no census for the last four years. The only data we have are the reports of the immigration department and the homestead entries, and these latter we have not got made up to the present time. I do not know that the government has any information of the actual number of settlers in each of these districts.

Mr. INGRAM. Then that portion of section 12 which says 'having due regard to the distribution of population and existing local divisions' is altogether a farce, because there is none furnished.

Sir WILFRID LAURIER. We have furnished the population such as we have it in the records of the government. We have no record of what the population is at this date. We have given last week the population of each of these ridings by the census of 1901, and in addition we have given the recorded vote, the registered vote, the school districts, and the improvement districts. That is all we have.

Mr. INGRAM. I would like to see some of that information. Surely the minister handling this Bill can give us the area and the estimated population, he must have it under his hand.

Mr. OLIVER. I hope the hon. member will not be absurd. We have given everything we have. We have given the returns by the census of 1901 ; we cannot give him a new census unless we get the authorization of parliament to make one.

Sir WILFRID LAURIER. In this particular case of Macleod, there are 2,628 square miles.

Mr. R. L. BORDEN. That is a great discrepancy between the figures given to me. The figures given to me for Macleod were 3,063 square miles, to which should be added about 500 square miles, as I make it, for the addition ; therefore the area would be 3,563 square miles. But the right hon. gentleman mentions an area some 700 miles less.

Mr. OLIVER. I think the figures of the leader of the opposition are those I procured from the department, and they are authoritative so far as we can get them.

Sir WILFRID LAURIER. Within the district of Macleod as it was described in the original draft, the population in 1901 was 3,403. The number of votes polled was 743, and the number of registered votes, according to my figures, was 975.

Mr. INGRAM. Can the right hon. gentleman give us the figures for sections 1, 2 and 3 ?

Mr. FITZPATRICK. I would refer the hon. gentleman to page 8007 of the 'Hansard,' where he will find all this information already given by the Prime Minister.

Section agreed to.

On schedule, section 5—electoral division of Pincher.

Mr. FITZPATRICK. I understand that the hon. member for Alberta (Mr. Herron) suggests that we should add the word 'Creek' after Pincher. If he will move that amendment we will adopt it.

Mr. HERRON. I move that the word 'Creek' be added to the word Pincher, so that the name of the electoral division be Pincher Creek.

Amendment agreed to.

Mr. R. L. BORDEN. That means that we are to regard the area of Pincher as reduced from 2,180 to about 1,580 square miles?

Sir WILFRID LAURIER. To fourteen townships.

Mr. FITZPATRICK. I understood that this change was made for the purpose of meeting the convenience of the settlers in that locality, and that practically it had been decided between the member for Alberta and the Minister of the Interior.

Section 5, as amended, agreed to.

On schedule, section 6—electoral district of Gleichen.

Mr. R. L. BORDEN. According to the statement I have this is 6,210 square miles?

Sir WILFRID LAURIER. The population, census 1901, 2,101; recorded votes, 785; registered vote, 1,286.

Mr. M. S. McCARTHY. I intend to move, when we are dealing with Rosebud, that two townships be added to the northern limit, and if that be agreed to the boundary of Gleichen will have to be moved one township.

Mr. PETER TALBOT. That would interfere with Innisfail.

Mr. FITZPATRICK. You want to take two townships out of Innisfail?

Mr. M. S. McCARTHY. Yes. The local authorities of the town of Olds complain that this schedule cuts the town in two and gives one-half to Innisfail and one-half to Rosebud. They have a local land office there and by shifting the present boundary of Rosebud to the north limit of township 34 it will include in Rosebud the local land office at Olds and obviate the difficulty of cutting the town in two.

Mr. FITZPATRICK. That would necessitate a change in Red Deer.

Mr. PETER TALBOT. It would make changes all the way up. That was the old line between Innisfail and one of the Calgary districts.

Mr. M. S. McCARTHY. The hon. gentleman has complained that the division by the local legislature was improper, but the difficulty that presents itself to-day was not evident in 1902, because Olds, as well as many other towns there, has gone ahead tremendously within the last few years. If these sections are allowed to stand I think I will be able to satisfy the Minister of the Interior that this change should be made.

Mr. FITZPATRICK. Gleichen, Rosebud, Innisfail and Red Deer will have to stand.

Mr. M. S. McCARTHY. I am not suggesting that anything should be added to Innisfail in lieu of these two townships. Innisfail will contain a larger area afterwards than some of the others.

Mr. PETER TALBOT. Innisfail is only three and a half townships wide for the greater portion of the way, while Rosebud is five townships wide.

Mr. M. S. McCARTHY. Innisfail has 6,228 square miles while Rosebud has only 3,708.

Mr. OLIVER. I have no objection to allowing the section to stand until I consult with my hon. friend, but I am afraid the local interests would hardly admit of the change he speaks of. The line between Rosebud and Innisfail is the dividing line during the life of the present territorial legislature, and our object was to interfere with old lines as little as possible. To shift the line two townships further north would disarrange the local conditions in Innisfail to the great dissatisfaction of the people of that constituency.

Mr. M. S. McCARTHY. I have a petition from the board of trade and from a num-

ber of other gentlemen in Olds advising me that the same petition has been sent to the minister.

Mr. OLIVER. From whom ?

Mr. M. S. McCARTHY. From the Liberal Association at Olds; possibly the minister has considered it.

Mr. OLIVER. I have a telegram here dated the 23rd, which asks that townships 30, 31 and 32 in ranges from 4 to 7 inclusive be taken from Banff and added to Rosebud, extending Rosebud westward four ranges by three townships in width.

Mr. FITZPATRICK. I understand that the intention is to allow Gleichen, Rosebud, Banff and Innisfail to stand until my hon. friend from Calgary (Mr. M. S. McCarthy) can confer with the Minister of the Interior.

Schedule sections 6, 8, 10 and 11 allowed to stand.

On schedule, section 7—electoral division of Calgary city—agreed to.

On schedule, section 9—electoral division of High River.

Mr. FITZPATRICK. Our hon. friends opposite have the information with regard to area, and I understand that we are without a copy of it; so that we have delivered ourselves entirely into the hands of the enemy this time. The census population of 1901 is 2,472, the number of votes polled in the last election was 1,021, and the number registered was 1,786.

Mr. M. S. McCARTHY. The area is 4,608 square miles.

Section agreed to.

On schedule, section 12—electoral division of Red Deer.

Mr. R. L. BORDEN. The area, according to the statement given to me by the Minister of the Interior, is 2,280 square miles.

Mr. FITZPATRICK. The census population of 1901 is 2,009, the number of votes registered is 1,192, and the number recorded in the last election was 843.

Section agreed to.

On schedule, section 13—electoral division of Vermilion.

Mr. SAM. HUGHES. Why does the Minister of the Interior take this riding west of the line of the Beaver Hills lake?

Mr. OLIVER. The reason of the division being made where it is, is because of the great area of the Beaver Hills, which are largely unoccupied on account of being rough country, and on account of the settlements around Beaver Lake having been always separated from the settlements west of the Beaver Hills. They have different connections, different communications, different mail facilities, and so forth, and have always been directly associated with the settlements lying in what is included in the district of Vermilion. The Beaver Lake, instead of being a division of interest, has been really a sort of centre of attraction, and the settlements around the lake are recognized as having a community of interest, and as being divided from the settlement of Strathcona immediately west of the Beaver Hills by the wide area and the impassible barrier of these hills.

Mr. SAM. HUGHES. How wide is that area and what is the nature of the impassable barrier ?

Mr. OLIVER. The Beaver Hills are a rough area extending from township 47 to township 55 from north to south and from range 18 to range 22 from east to west, that is to say, four townships in width by about nine townships in length. It is a rough and wooded country. Settlement has gone in on the outskirts of it, but it is only within recent years that there has been any traffic at all to Beaver Lake. Of recent years, owing to the exertions of the local members of Edmonton and Strathcona, they have been successful in getting a road directly across Beaver Hill to Beaver Lake, but that road is still in a pretty rough condition and passes through at least twelve miles of practically unsettled country, so that there is a very well defined division between the interests on the west side of the hill and on the east.

Mr. SAM. HUGHES. The hon. minister has not elucidated it at all. These people do their trading altogether in Strathcona and Edmonton, except what they do at the little shops around the lake, and the natural association of these people would be with Strathcona.

Section agreed to.

On schedule, section 14—electoral division of Lacombe.

Mr. R. L. BORDEN. The area of this, according to the minister's statement, is 2,376 square miles.

Mr. FITZPATRICK. The population, according to the last census, was 2,565. The number of votes registered, 1,174, and the votes recorded 881.

Section agreed to.

On schedule, section 15—electoral division of Ponoka.

Mr. R. L. BORDEN. The area, according to the minister's statement, is 2,772.

Mr. FITZPATRICK. The population, according to last census, is 2,775. The votes registered 1,229 and the votes recorded 764.

Mr. INGRAM. Would the hon. gentleman give us Vermilion, section 13 ?

Mr. FITZPATRICK. Vermilion, population 1,795, according to last census. Votes registered 1,105 ; votes recorded 763.

Mr. R. L. BORDEN. 8,280 square miles is the area, according to the minister's statement.

Section agreed to.

On schedule, section 16—electoral division of Wetaskiwin.

Mr. R. L. BORDEN. The area, according to the minister's statement, is 2,448.

Mr. FITZPATRICK. The population, according to the last census, was 3,720. Number of votes registered 1,199 ; number of votes recorded 857.

Section agreed to.

On schedule, section 17—electoral division of Leduc.

Mr. R. L. BORDEN. The area, according to the minister's statement, is 1,656 square miles.

Mr. FITZPATRICK. According to last census, the population was 3,450 ; number of votes registered 1,176 ; number of votes polled 697.

Section agreed to.

On schedule, section 18—electoral division of Strathcona.

Mr. R. L. BORDEN. The area of this division, as given by the minister, is 540 square miles.

Mr. FITZPATRICK. The population of Strathcona, according to the last census, is 4,248 ; number of votes registered, 1,278 ; votes recorded, 956.

Section agreed to.

On schedule, section 19—electoral division of Stony Plain.

Mr. W. F. MACLEAN. The government said they were going to change this name. It might be well to call it 'Olivette.'

Mr. OLIVER. The people of the settlement would be anxious to retain the present name.

Mr. SAM. HUGHES. Which settlement, the one in the mountain pass ?

Mr. OLIVER. All the people of the district. The name is a historic name, and was given because this was the hunting and camping ground of the Stony Indians. The name is no indication of the character of the country. The people have used the name and are anxious to keep it.

Mr. FITZPATRICK. Then it should be spelt 'Stoney' and not 'Stony.'

Mr. R. L. BORDEN. The area given by the minister is 15,408 square miles.

Mr. FITZPATRICK. The population, according to the last census, is 2,398 ; votes registered, 706 ; and votes recorded, 589.

Mr. SAM. HUGHES. St. Albert and Stony Plain should be made one district ; or, still better, the five northern divisions should be made into three, and one of the members given to Edmonton and Strathcona locality and the other to Calgary and Rosebud.

Mr. W. J. ROCHE. Does this include any portion of Edmonton ?

Mr. FITZPATRICK. No ; Edmonton is a constituency by itself, according to the plan I have.

Mr. OLIVER. This is an absolutely rural constituency. There is no town or village in it. The population is entirely agricultural ; there is no better agricultural section in the Northwest Territories, and the part that is settled is probably more closely settled than almost any other. There are ten school districts in operation in the district and six post offices.

Mr. SAM. HUGHES. The population given by the Minister of Justice includes Indians, of course, for there were not many white people there in 1901. There are big Indian reserves there. Would the Minister of Justice (Mr. Fitzpatrick) consent to this idea of taking up the five northern divisions together ?

Mr. FITZPATRICK. I have to confess my absolute ignorance with regard to this distribution. The Minister of the Interior (Mr. Oliver) and the members for the Northwest know all about it.

Mr. SAM. HUGHES. Or think they do. I would most respectfully submit to the Minister of the Interior (Mr. Oliver) that it would be well to consider these five constituencies of Stony Plain, St. Albert, Sturgeon, Peace River and Athabaska at once. The five together have a less population than any one of several of the southern ridings. I venture to say that the whole five have less than one-quarter the white population of some of these southern districts. The hon. minister is making five ridings in the north, while a place like Calgary is given only one member. Now that the minister is beginning his ministerial career, I would suggest to him that he should not assume the responsibility of such an act as this.

Mr. OLIVER. I will not go into the discussion with the hon. gentleman (Mr. Sam. Hughes) as to the white population of these districts. But I think that he is entirely wrong in his contention. In this distribution the question whether the population is white or not is not considered. For instance, in the Macleod district the question is not asked as to the proportions

of whites and Indians, though I believe there are 1,300 Indians there.

Mr. SAM. HUGHES. I did not mention Macleod, but Calgary, where there is a very small Indian population and a very small foreign population.

Mr. OLIVER. When we are considering population we do not ask whether it is white, or half-breed or Indian. I do not think it would be fair to base their distribution upon the number of white people alone who are in an electoral district. A large part of the population of that country is white, there is no question about it, and the people are entitled to just as much consideration as are the people in any other part of this country. We only ask that they should be given a fair proportion of representation. In the last territorial distribution the constituency of Edmonton included practically Stony Plain, Sturgeon and the city of Edmonton, and the vote was 2,269 as against a vote of 648 in the district of Cardston, 826 in Lethbridge, 1,848 in Macleod, 1,028 in High River, 629 in Banff, 1,081 in Innisfail. There were 2,269 in the constituency of Edmonton as it stood, and as it is now divided practically into three constituencies, as it is entitled to be, according to the vote cast.

Mr. SAM. HUGHES. I want to tell the minister that the entire population of Stony Plain, St. Albert, Sturgeon, Peace River and Athabaska, including his Indians, is not as great as the population of Calgary alone, which has only one member.

Mr. OLIVER. When an hon. member of this House will make such a statement as that I will admit that I am out of business.

Mr. SAM. HUGHES. Let him give us the population of those places, including his Indians, his Galicians, his Roumanians and all these people, and he cannot make his population in those five ridings to be more than the population of the city of Calgary to-day.

Mr. OLIVER. The census put the population of the city of Calgary at 4,865. At that time St. Albert had 3,005, three-quarters as much as Calgary, and Stony Plain had 2,398, more than half as much as the district of Calgary, and Sturgeon had 3,272, very nearly as much. Now the hon. gentleman knows perfectly well that the population of these districts has increased very rapidly since the census was taken, quite as rapidly probably as the city of Calgary. They are close to railways, and there is evidence from the trade of that country that the population has greatly increased. Now these districts, leaving the district of Athabaska out of the calculation, starting with a population a great deal more than the city of Calgary five years ago, have had a proportionate increase with the city of Calgary since that time. In the face of these figures I cannot understand how the hon. gentleman can make such a statement.

Mr. SAM. HUGHES. In the first place, I do not believe the census figures are correct; in the second place, the figures I have are the figures of five years ago, and every one knows that Calgary has almost doubled in population since then, if not quite. I was estimating the population of Calgary at about 10,000 or 11,000 souls.

Mr. OLIVER. It was 8,675 when the census was taken five years ago.

Mr. SAM. HUGHES. The census there, I presume, was a good deal like the census in the province of Quebec. I happened to be down in the Connecticut valley the other day, and the president of the Fitchburg Railway told me that during the last Canadian elections they sent out five train-loads of men to the province of Quebec to vote in that election. I asked how that was, and he said that when the census was taken three years ago every family in the Connecticut valley was counted as belonging to Quebec. So I presume the same game has been played in the new provinces.

Mr. FITZPATRICK. Were it not that I have been reading in the Montreal 'Gazette,' I might be tempted to make an announcement to the hon. gentleman.

Mr. LEMIEUX. I have heard another story, I was told in Boston that the voters came from Ontario, and not from Quebec. But even if they came from Quebec, my hon. friend should not blame those voters, it shows their attachment to Canada, that they take an interest in this country, and are not annexed to the republic to the south of us.

Mr. OLIVER. I was remarking that the five northern constituencies, when the census was taken five years ago, contained more population than the hon. gentleman claims for the city of Calgary to-day; they then contained 12,070 people.

Section agreed to.

On schedule, section 20—electoral division of Edmonton city.

Mr. INGRAM. Does that mean the area of the corporation of the city of Edmonton?

Mr. FITZPATRICK. I understand it means the city of Edmonton as it is incorporated for city purposes.

Mr. INGRAM. How many square miles does it occupy?

Mr. OLIVER. Roughly, three miles from east to west and three miles from north to south, although it does not by any means cover the whole area.

Mr. INGRAM. Tell us about the area of Calgary.

Mr. R. L. BORDEN. There is no area given for either Calgary or Edmonton.

Mr. FITZPATRICK. I am told Calgary is about two miles square.

Mr. SAM. HUGHES. What was the population of this riding according to the last census?

Mr. FITZPATRICK. The population of Edmonton was 2,626, registered vote, 1,701, and recorded vote, 1,342.

Section agreed to.

On schedule, section 21—electoral district of Saskatchewan—

Mr. R. L. BORDEN. The area as given to me is 2,448 miles.

Mr. FITZPATRICK. The population at the time of the last census was 6,545, vote registered 1,382 and recorded 1,116.

Mr. R. L. BORDEN. I would think that there must be some mistake about the area of Saskatchewan; it looks very much larger than these figures would indicate.

Mr. OLIVER. 7,344 miles is the area of Saskatchewan. It has been suggested that it would be well to change this name on account of the conflict with the name of the other province and if the committee will agree I move that it be named Beaver Hills.

Mr. W. F. MACLEAN. No, Olivette.

Mr. OLIVER. This is the district that was formerly called Victoria because that was the name of the old settlement in the district, but on account of that being the same as Victoria, British Columbia, it was thought well not to continue it. It was named Saskatchewan because that is the name of the principal town in the constituency, but it was thought, as that would be the same as the name of the province, it would lead to conflict and the Beaver Hills being one of the well known principal features of the country, it was thought it might be well to call it Beaver Hills.

Mr. SAM. HUGHES. The Beaver Hills are not in that part of the riding at all.

Mr. OLIVER. Part of them are.

Mr. SAM. HUGHES. Not a mile of them.

Mr. OLIVER. The post office and school house of Beaver Hills are in what is known as Saskatchewan and the northwestern portion of Beaver Hills where the principal settlement is located is in that constituency.

Mr. W. F. MACLEAN. I would move an amendment that it be called Olivette partly as a tribute to the hon. minister and partly on account of a certain exclamation of certain club members in this town.

Mr. FITZPATRICK. I think we will pass by Olivette to-night and take Beaver Hills.

Mr. SAM. HUGHES. I want to point out that the hon. Minister of the Interior said a short time ago that Beaver Hills ran from the boundary between Leduc and Wetaskiwin, or from a little below that, up to nearly the head of Beaver Hills Lake and now he is naming another riding entirely. He has just stated that the eastern end of Strathcona riding is in the Beaver Hills.

Mr. OLIVER. So it is.

Mr. SAM. HUGHES. And he wants now to name this constituency Beaver Hills. Why not call it Clover Bar?

Mr. OLIVER. Clover Bar is in Strathcona.

Mr. SAM. HUGHES. Clover Bar is on the edge of Strathcona.

Mr. W. F. MACLEAN. This might be confounded with Beaver Hall in Montreal.

Mr. SAM. HUGHES. Why not call it Bruderheim or Victoria?

Mr. OLIVER. It was thought that if we called it Victoria it would be confused with Victoria, British Columba or Victoria county.

Mr. SAM. HUGHES. No, Victoria is the proper name.

Mr. OLIVER. That would be the general preference if it were not liable to lead to confusion. I will withdraw my first motion and move that it be called Victoria.

Mr. SAM. HUGHES. Hear, hear. I suppose my hon. friend from South York withdraws his motion?

Mr. W. F. MACLEAN. All right.

Stction agreed to.

On schedule 22—electoral division of Sturgeon—

Mr. R. L. BORDEN. According to the statement given me by the minister the area of this is 7,272.

Mr. FITZPATRICK. The population according to the last census is 3,272; number of votes registered 1,088; votes recorded 782.

Mr. SAM. HUGHES. Have you got the number of Indians in that population?

Mr. FITZPATRICK. I have ascertained that it includes the Indians in that part of the country.

Mr. OLIVER. It may satisfy my hon. friend (Mr. Sam Hughes) to know that there are practically no Indians there.

Mr. SAM. HUGHES. The minister is mistaken; he ought to know that there are Indian settlements at White Fish Lake and Lac la Biche.

Mr. INGRAM. Is this the constituency Mr. Boyle is nominated for?

Mr. OLIVER. I am not aware.

Mr. INGRAM. Your own newspaper says so.

Section agreed to.

On schedule, section 23—electoral district of St. Albert—

Mr. R. L. BORDEN. According to the statement furnished us the area of this is 23:616 square miles.

Mr. FITZPATRICK. The population last census, 3,005; number of votes registered, 965; votes recorded, 754.

Section agreed to.

On schedule, section 24—electoral district of Peace River—

Mr. R. L. BORDEN. The area of this according to the statement given by the minister is 68:215 square miles?

Mr. FITZPATRICK. The population last census was 1,724.

Mr. R. L. BORDEN. Consisting of 768 whites and half-breeds and 955 Indians.

Mr. FITZPATRICK. 677 half-breeds, 92 whites, 955 Indians.

On schedule section 25—electoral division of Athabaska—

Mr. R. L. BORDEN. The area of this, according to the statement which the minister has given, is 57,767 square miles.

Mr. FITZPATRICK. The population is: half-breeds, 824; whites, 117; Indians, 735; in all, 1,676.

Mr. R. L. BORDEN. What was the number of whites in the other division?

Mr. FITZPATRICK. 92.

Mr. W. F. MACLEAN. Why not give one seat to these two constituencies and give one more to the more populous centres in the south? Why is an effort made to give such a preponderating influence to these two northern constituencies?

Mr. FITZPATRICK. That is a question which I think we have not solved to the satisfaction of all those who listened to it during a discussion that lasted over four or five evenings.

Mr. INGRAM. How many post offices are in this electoral district?

Mr. OLIVER. One established post office and seven points for the delivery of mail.

Mr. INGRAM. When was the post office established in Athabaska?

Mr. OLIVER. Three years ago, I think.

Mr. M. S. McCARTHY. Is that Lesser Slave Lake?

Mr. OLIVER. Yes.

Mr. M. S. McCARTHY. Is that in Athabaska or Peace River?

Mr. OLIVER. In Athabaska.

Mr. M. S. McCARTHY. Are there any post offices in Peace River?

Mr. OLIVER. I do not know, but mail is delivered at Peace River crossing to the mounted police, who handle it as a post office would. I think mail is also delivered at Vermilion.

Mr. M. S. McCARTHY. Is there not a post office in the constituency of Peace River?

Mr. OLIVER. I believe there is not a post office gazetted in the constituency of Peace River.

Mr. INGRAM. Is the hon. minister sure that Lesser Slave Lake is in the Athabaska district?

Mr. OLIVER. I am sure as I can be. The idea was to include the waters of Athabaska in the Athabaska division and the waters of the Peace River in the Peace River division, because the waters being a means of communication it was thought it would be the more convenient division.

Mr. INGRAM. Looking at the map supplied to us last year, I am inclined to think that the Lesser Slave Lake post office is in the Peace River district.

Mr. OLIVER. It is in what is called the Hudson Bay district of the Peace River; that is to say, the Slave Lake post office is the headquarters of that trading division, as Port Chippewyan is the headquarters of another trading division; but inasmuch as our division is for the representation of the people according to their interests and not merely according to trade, we thought it was better to divide the agricultural possibilities of the Peace River from the possibilities of the Athabaska waters, which are not considered to be agricultural, but will for some years depend upon furs, minerals and timber.

Mr. INGRAM. The western boundary line of the Peace River constituency will border on British Columbia, and to my mind the Lesser Slave Lake post office would be located in that district.

Mr. R. L. BORDEN. As I understand, the population of these two ridings, some particulars of which we have now which were not before available, is as follows: for the Peace River district, according to the census of 1901, 92 whites, 677 half-breeds 955 Indians; for the Athabaska district, according to the census of 1901, 117 whites, 824 half-breeds, 735 Indians. I have already expressed my opinion of the policy which gives to each of these ridings one representative in the provincial legislature when constituencies which have admittedly 10,000 or 12,000 people are given only one repre-

sentative. The two divisions together, according to the census of 1901, have a population of 209 whites and 1,501 half-breeds.

This distribution I regard it as a piece of political trickery, which is unworthy of this administration or of the gentlemen who are bringing it in. That is all I have to say about it at present, but I will have something to say on the third reading. To give one representative to a population of that kind is to give them four times the representation in the legislature which the electors in any other part of the riding would have. That would be bad and outrageous enough, but to do what is proposed by this Bill, in the face of what has been admitted here, is one of the most outrageous attempts at gerrymandering ever perpetrated in any country, not even excepting the United States of America. It is just as well that we should call this by its proper name. According to the statement of the Minister of the Interior and of the Prime Minister, according to the estimate given by both these gentlemen of the population of this particular division, according to that exaggerated estimate put forward by the Minister of the Interior, which has no other foundation than the casual statement made in conversation by some one from the Northwest—giving them all the advantage of that—you have an estimated population of 5,000 whites and half-breeds for this northern country, as I pointed out before, a basis of representation which gives to 5,000 in this northern country two representatives and to 245,000 people in the rest of the province twenty-three representatives. It is only necessary to state the figures, as they have been stated over and over again in this House, to characterize the attempt which is made by this proposed distribution. I do not think you could find too strong words in the English language to characterize such a distribution.

Mr. SAM HUGHES. What has the Finance Minister to say about it? Has the Minister of Justice no word to say about the policy or the Minister of the Interior?

Mr. OLIVER. We have talked a week on this subject. I have said all I have to say, and my hon. friend the leader of the opposition says he has said all he has to say——

Mr. R. L. BORDEN. At present.

Mr. OLIVER. It will be better to leave further discussion until we can put ourselves on record by our vote on the third reading. I have no hesitation in justifying, from every point of view of public policy, the proposal submitted. The strong language used by the hon. the leader of the opposition, which is not customary to him, is used under misapprehension of the case. I do not think he realizes the work which falls to the local members in their duties of representing constituencies, or he would not have expressed himself as he has done.

Mr. FITZPATRICK. There are four constituencies not disposed of, and we might arrange to have their boundaries accepted.

Mr. OLIVER. I do not wish to trespass on the time of the House, but I would suggest a change which I consider satisfactory. The town of Olds is on the boundary line between Rosebud and Innisfail. While that is the old boundary, it must be recognized that the town has increased in population, and the purpose of the revision is to consider local interests. The dividing line has been retained where it is because we wanted to make the division as equitable with regard to population as possible, but now that we have decided our general plan I would be very glad, out of consideration for the views of the people interested, to move that the boundary line between Rosebud and Innisfail be the line between townships 33 and 34—that is allowing the boundary six miles north of Olds, which will give them that advantage over what they have at present. I move that the boundary line between Rosebud and Olds be the township line between townships 33 and 34, and that the boundary between Banff and Rosebud be the line between townships 29 and 30, in ranges 4, 5, 6 and 7; and that the line then run north between ranges 7 and 8. The southern boundary of Innisfail would be shifted a township north to correspond with this proposal.

Mr. FITZPATRICK. How far west would you take Rosebud?

Mr. OLIVER. On the west side of range 7.

Mr. M. S. McCARTHY. Why not remove the north line of Gleichen to the north line of township 38?

Mr. OLIVER. If my hon. friend from Calgary will move that I will agree to it.

Mr. M. S. McCARTHY. I move that the dividing line between the constituencies of Gleichen and Rosebud be the line between townships 28 and 29.

Mr. FITZPATRICK. I understand that we have agreed to alter the boundaries of Gleichen, Banff, Rosebud and Innisfail—that the line between Rosebud and Gleichen be extended westward to the British Columbia boundary and six miles north of the present division. The Rosebud northern boundary goes six miles north and the Innisfail northern boundary remains as it is.

Mr. M. S. McCARTHY. My suggestion was that the line between Gleichen and Rosebud be moved twelve miles north—that is two townships. I understand that the Minister of the Interior (Mr. Oliver) objects to that?

Mr. OLIVER. I think the boundary between Gleichen and Rosebud should move six miles north as the line between Rosebud and Innisfail is moved six miles north. It leaves Rosebud the same size and adds a township to Gleichen. I may say that I know all the towns along the line, and I think this would throw them pretty well into the constituencies they wish to be in.

Mr. M. S. McCARTHY. My desire was to have the northern boundary of Rosebud the northern limit of township 34.

Mr. OLIVER. Then, I understand that my hon. friend (Mr. M. S. McCarthy) means to move the northern boundary of Rosebud two townships north ?

Mr. M. S. McCARTHY. Yes, instead of one.

Mr. OLIVER. That would be objectionable from the point of view of the interests centred at Innisfail. It would bring the line almost as close to Innisfail as the present line is to Olds. It would be better to make the line between Innisfail and Olds the two principal towns, the line I suggested first. I move that the boundary between Gleichen and Rosebud be the township line between townships 28 and 29 from range 10 west of the 4th principle meridian.

Mr. FITZPATRICK. I understood the northern boundary of Gleichen ran to the British Columbia boundary.

Mr. OLIVER. Well, we might say that—it would make it simpler. Take the township line between townships 28 and 29, and run it to British Columbia as a boundary between Gleichen and Banff on the one side and Rosebud on the other.

Mr. FITZPATRICK. The northern boundary of Gleichen will be the southern boundary of Rosebud. Then, the northern boundary of Rosebud——

Mr. OLIVER. Will be the line between townships 33 and 34 west to the British Columbia boundary ?

Mr. FITZPATRICK. Then I understand the geographer of the Department of the Interior will draw an amendment to these sections to give effect to the suggestion of the Minister of the Interior. With that understanding, I move that the schedule be adopted as a whole.

Mr. OLIVER. The hon. member for Alberta (Mr. Herron) suggests another amendment to the boundary of Pincher Creek. There is an oil proposition down in the very corner of Alberta which is operated from Pincher Creek, they run the stage to it from Pincher Creek. It is in Cardston according to the present boundary and the proposal is to take it into Pincher Creek. The proposal is that townships 1 and 2 in ranges 30 and 31 be a part of Pincher Creek.

Mr. FITZPATRICK. And it will be necessary to alter Cardston also.

Mr. OLIVER. Yes, to take a little part off the western part of Cardston and add it to Pincher Creek.

Mr. FITZPATRICK. We will leave the drafting of that amendment also to the geographer of the Department of the Interior to be prepared by him.

Mr. R. L. BORDEN. I suppose that these will be placed before the House in advance of the third reading ?

Mr. FITZPATRICK. They will be distributed to-morrow, so that if there is any objection it can be taken at once.

Mr. DEPUTY SPEAKER. It is moved that the schedule be adopted, subject to the amendments to be made. Shall the motion be agreed to ?

Mr. R. L. BORDEN. On division.

Mr. FITZPATRICK. As we are on these divisions, we might take up Saskatchewan by consent.

Mr. R. L. BORDEN. We might have done so had I anticipated it. But I understand that my hon. friend from Qu'Apelle (Mr. Lake) desires to get some further information.

Mr. FITZPATRICK. I do not press it. Going on with this Alberta Bill, I move that section 12 which covers the schedule, which we have just approved, be adopted.

Mr. R. L. BORDEN. Are you going to leave in these words that have no sense ?

Mr. FITZPATRICK. I think we might strike them out. I move that the words 'having due regard to distribution of population and existing local divisions' be struck out.

Mr. R. L. BORDEN. They seem to be somewhat satirical as they are.

Mr. FITZPATRICK. Not in the mind of the man who drew the section.

Amendment agreed to and section as amended agreed to.

Mr. FITZPATRICK. We might take up section 8, dealing with the seat of government ?

Mr. R. L. BORDEN. My hon. friend from Calgary (Mr. M. S. McCarthy) is anxious to have that stand. We might take up the section relating to the lands and let us move our amendment.

Mr. DEPUTY SPEAKER. Section 20 relating to Dominion Lands is carried.

Mr. R. L. BORDEN. What sections are there standing now?

Mr. FITZPATRICK. I will read them. Section 2, the application of the British

North America Act; section 3, the capital of the province; section 15, continuation of laws, &c.—this clause was agreed to, but upon the understanding that the leader of the opposition might make any observations he chose in connection therewith. I thought myself I might suggest some verbal changes. Section 16, with regard to education; section 20, lands vested in the Crown; section 24, date of the commencement of the Act. Then I wanted to have section 22 reconsidered, that is the Hudson Bay clause, which was carried. If agreeable to the leader of the opposition, I will take that up now. Section 22 as it now reads contains some words at the end to which the representatives of the Hudson Bay Company objected. The words are:

And all rights, privileges and properties conferred on the Canadian government by the said conditions shall, so far as they relate to matters within the legislative authority of the province, be subject to and be vested in the government of the said province.

My hon. friend will remember that this provision is intended to give effect to an agreement made between the imperial authorities and the Canadian government at the time the lands of the Hudson Bay Company were acquired. The provision then made was that no law would be passed which would in any way affect the conditions of that agreement. The representatives of the Hudson Bay Company say that the words to which I have just referred would be a change in the agreement, and they ask that these words be struck out. I do not think that they affect the Hudson Bay Company's position at all, but as they object to them, and as it is made a condition of the transfer by the imperial authorities, perhaps we had better adhere strictly to the terms of the original agreement. I therefore move that these words be struck out.

Mr. R. L. BORDEN. As I understand the Minister of Justice, he is of the opinion that notwithstanding the omission of these words, the rights referred to will belong to and be vested in the government of the province, subject to the agreement which is referred to.

Mr. FITZPATRICK. As our attention has been drawn to it by the people in England, we think it is better to adhere strictly to the terms of our original agreement with them.

Amendment agreed to, and section as amended agreed to.

Mr. FITZPATRICK moved to reconsider section 15.

Motion agreed to.

On section 15, laws, courts and officers, continued.

Mr. R. L. BORDEN. I would suggest two amendments here. One has been suggested by the Minister of Justice in a memorandum which he handed to me. One is that section 15 be amended by striking out these words:

Including the provisions of the Northwest Territories Act and the amendments thereto, notwithstanding the repeal thereof by this Act.

And substitute the following in lieu thereof:

Including, notwithstanding the repeal of the Northwest Territories Act and the amendments thereto by this Act, such of the provisions thereof as remain applicable.

Following exactly the wording of the memorandum of the Deputy Minister of Justice.

Mr. FITZPATRICK. How is that going to be affected by a new clause which I have proposed to move? I think it is all right.

Mr. R. L. BORDEN. You can let the section stand until you have time to consider it.

Mr. FITZPATRICK. I intend to move an amendment to section 24, or to redraft it in this way:

The Northwest Territories Act, being chapter 50 of the Revised Statutes in all Acts amended thereof, are hereby repealed as respects said clauses, provided notwithstanding such repeal so much of the said Acts and of any order or regulation made thereunder as was in force immediately before the coming into force of this Act, and is not inconsistent with anything contained in this Act, or as to which this Act contains no provision intended as a substitute therefor, shall continue in force in the said clauses in pursuance of and for the purpose of section 15 of this Act.

That, I think, might make unnecessary the concluding three lines of the hon. gentleman's amendment. But I will communicate this section to him, and he may see how far it will be necessary to make the change. The first part of his amendment meets my view, but the three last lines might be unnecessary in view of this new clause I have suggested. I intended to add another section to clause 15 in respect to criminal procedure in the Northwest Territories. As my hon. friend is aware, in the Northwest Territories the criminal procedure differs somewhat from the procedure in other parts of the Dominion and in order to cover the point I think this proviso may be useful. I will consider that also.

Mr. R. L. BORDEN. Would the hon. minister read it so that it would appear upon 'Hansard'?

Mr. FITZPATRICK. To clause 15, subsection 2, I beg to move the following proviso:

Provided, that if upon such abolition the legislature constitutes the superior court of

criminal jurisdiction the procedure in criminal matters then obtaining in respect of the Supreme Court of the Northwest Territories shall until otherwise provided by competent authority continue to apply to such superior court, and that the Governor in Council may at any time and from time to time declare all or any part of such procedure to be inapplicable to such superior court.

Mr. DEPUTY SPEAKER. Section 15 and the proposed amendment stand.

Mr. FITZPATRICK. I think we have disposed of everything except sections 2, 8, 16 and 20. Section 2 and 16 must of necessity be taken up together. As I view it I do not think we can very well dispose of section 2 until we dispose of section 16.

Mr. R. L. BORDEN. No, I think not. We will allow that to stand.

Mr. FITZPATRICK. Then, we want to consider this proposed section 24 at the same time as we consider section 15. That is the repealing section. Then we will keep section 2 to be dealt with at the same time as section 16. Section 8, in respect to the capital of the province, is, I understand, to be allowed to stand over. Will my hon. friend take up the question of lands to be vested in the Crown under section 20 ?

Mr. R. L. BORDEN. I think we might make some progress with that. We have an amendment and we may as well move the amendment at least.

Mr. FITZPATRICK. I beg leave to move to substitute the following for the original section 20 :

All crown lands, mines and minerals and royalties incident thereto shall continue to be vested in the Crown and administered by the government of Canada for the purposes of Canada, subject to the provisions of any Act of the parliament of Canada with respect to road allowances and roads or trails as in force immediately before the coming into force of this Act, which shall apply to the said province with the substitution therein of the said province for the Northwest Territories.

Mr. R. L. BORDEN. The change is in using the words 'Crown lands' instead of 'Dominion lands' ?

Mr. FITZPATRICK. Yes, I have adopted the words of the British North America Act. In view of the fact that the words 'Dominion lands in the said province' might not cover lands, mines and minerals. Then paragraph 2 of the section would read as it is in the original :

2. The Rocky Mountains Park shall continue to be subject to the provisions of the Acts of the parliament of Canada applying thereto, and to regulations made or to be made under any such Act : Provided that the provincial laws shall apply to and be operative within the said park so far as they are not inconsistent with such Acts and regulations.

Mr. FITZPATRICK.

Mr. W. F. MACLEAN. That is giving the Dominion more jurisdiction than it has over parliament square here ?

Mr. FITZPATRICK. No. I may state my difficulty in connection with this section so that my hon. friend the leader of the opposition will see the way I propose to meet it. Section 2 makes applicable to the new province the provisions of the British North America Act which are applicable to the original united provinces, so that it might possibly follow from that that section 109 of the British North America Act would apply to the provinces ; that is to say that all lands, mines and minerals and royalties, except as we are now making provision for them, might pass to the province. My intention is to keep the lands, mines, minerals and royalties vested in the Dominion. I thought I would make that point clear. A difficulty occurred in the case of the Attorney General of British Columbia vs. the Attorney General of Canada in regard to the gold mines in British Columbia.

Mr. R. L. BORDEN. I follow the hon. minister's suggestion in regard to the amendment. I do not know that I follow exactly the effect of section 109 of the British North America Act upon the change.

Mr. FITZPATRICK. Perhaps I have not made my point clear. Section 2 of this Bill would make applicable all the provisions of the British North America Act. Then section 109, which is one of the provisions of the British North America Act, provides that:

All lands, mines, minerals and royalties belonging to the several provinces of Canada, Nova Scotia and New Brunswick at the union, and all sums then due or payable for such lands, mines, minerals or royalties, shall belong to the several provinces of Ontario, Quebec, Nova Scotia and New Brunswick in which the same are situate or arise, subject to any trusts existing in respect thereof, and to any interest other than that of the province in the same.

Section 109 might be construed, being made applicable by section 2, as conveying to the new provinces all lands, &c., and bearing in mind the difficulty that occurred in connection with the case of Attorney General of British Columbia vs. Attorney General of Canada and I thought it would be well to make the point clear, because, when it comes to be a question of principle as to whether the lands should pass or not, in our view we want to keep the lands and we want to make the point clear.

Mr. R. L. BORDEN. I think I see the point. You are providing by section 20 against the operation of section 109 of the British North America Act ; therefore, you use the language that is employed in the section to negative the effect of that section ?

Mr. FITZPATRICK. Exactly.

Mr. R. L. BORDEN. In view of the changes in the wording of section 20, it will probably save time and controversial discussion as to the wording of our amendment if we let that stand for the present.

Mr. FITZPATRICK. Very well.

Mr. R. L. BORDEN. So far as the particular object is concerned we shall endeavour to use the same language the minister has used in order to reduce it to a mere question of principle.

Mr. FITZPATRICK. It is better to set the details at rest on one side or the other.

Mr. R. L. BORDEN. Very well.

Mr. FITZPATRICK. That disposes of the Bill with the exception of the capital and the school clause; section 2 being considered as part of section 16. The present section 24, being the clause fixing the date on which the Act will come into operation will become section 25, and I propose to move a new clause 24.

Mr. R. L. BORDEN. It is a new clause?

Mr. FITZPATRICK. A new clause altogether. I move that the following clause be inserted as clause 24 in lieu of clause 24 of the present Bill :

The Northwest Territories Act being chapter 50 of the Revised Statutes in all Acts amended thereof are hereby repealed as respect to said clauses, provided that notwithstanding such repeal so much of the said Acts and of any order or regulation made thereunder as was in force immediately before the coming into force of this Act and is not inconsistent with anything contained in this Act or as to which this Act contains no provision intended as a substitute therefor shall continue in force in the said clause in pursuance of and for the purpose of section 15 of this Act.

Mr. R. L. BORDEN. That will appear on 'Hansard' so that we may consider it.

Mr. FITZPATRICK. We should have a short title. I think we should say this Act will be known as the 'Alberta Act.'

Mr. R. L. BORDEN. Very well.

Mr. BARKER. We have an amendment to the preamble. Would the minister like to have it read now so that it may appear on 'Hansard' and he may consider it.

Mr. FITZPATRICK. Yes.

Mr. BARKER. The preamble of the Bill omits any reference to the British North America Act, and in fact it treats that Act as if it has no bearing upon what we are doing here in creating a province. The preamble begins with the Act of 1871, as if we were proceeding under that Act and no other. This amendment begins with the recital of the Act of 1867 and it reads as follows :

Whereas in and by the British North America Act, 1867, being chapter 3 of the Acts of the parliament of the United Kingdom, passed in the session thereof held in the 30th year of the reign of Her late Majesty Queen Victoria, it was among other things enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's most honourable Privy Council, on an address from the Houses of the parliament of Canada, to admit the Northwestern Territory into the union, on such terms and conditions as in the address expressed and as the Queen should think fit to approve, subject to the provisions of the said Act ; and that the provisions of any Order in Council in that behalf should have effect as if they had been enacted by the parliament of the United Kingdom of Great Britain and Ireland.

And whereas pursuant to such power and authority, and to such address, by and with the advice aforesaid, the Queen by Order in Council on the 23rd day of June, 1870, did order and declare that from and after the 15th day of July, 1870, the said Territory should be admitted into and become part of the Dominion of Canada ; and the parliament of Canada should from the said date of admission have full power and authority to legislate for the future welfare and good government of the said Territory.

And whereas, in and by the British North America Act, 1871, being chapter 28 of the Acts of the parliament of the United Kingdom, passed in the session thereof held in the 34th and 35th years of the reign of Her late Majesty Queen Victoria, it is enacted that the parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province and for its representation in the said parliament of Canada.

And whereas, in and by the British North America Act, 1886, being chapter 35 of the Acts of the parliament of the United Kingdom, passed in the session thereof held in the 49th and 50th years of the reign of Her said Majesty, the parliament of Canada was empowered to make provision for the representation, in the Senate and House of Commons of Canada, of the said Territory, the same not being included in any provision of the Dominion ; and it was thereby also enacted that the said Act, and the British North America Act, 1867, and the British North America Act, 1871, shall be construed together.

And whereas, that part of the said territory hereinafter described has not been included in any province of the Dominion, and has heretofore been provisionally governed by and pursuant to legislation of the parliament of Canada.

And whereas, it is expedient to establish as a province that part of the said territory hereinafter described, and to make provision for the constitution and administration of such province and for the passing of laws for the peace, order and good government thereof and for its representation in the parliament of Canada.

Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

We make the full recitals to show we have authority to act upon the statute of 1871 ; to recite the latter statute only would not show how we come to have the power to act upon it. We, also put in the

Act of 1896 which in its very terms makes the three statutes one. The Act of 1886 expressely stated that this parliament could only create a province if the territory dealt with had not already been included in any province, and therefore we make a recital which explains that. The preamble of the Bill omits very material words.

It uses the words 'good government in the second paragraph as if we had power to make laws for the good government of the new provinces when all we have power to do is to enable a new province to pass laws for the peace, order and good government of the province. I use the exact words from the imperial statute. I move that Mr. Chairman, and I leave it to the consideration of the Minister of Justice.

Mr. FITZPATRICK. Will the hon. gentleman tell me what is the object of the amendment?

Mr. BARKER. In the Bill, the Act of 1871 is recited as the origin of the authority of this parliament to create this province. That is not so. Our authority begins with the British North America Act of 1867. That Act was followed by the statute of 1871 and again by the Act of 1886, and it is under the provisions of the whole of these three Acts that we are proceeding to create this province. I submit that it is not proper to recite a part only of the authority. In fact, we on this side do not agree with the interpretation of the Minister of Justice, or at all events with the interpretation put by many gentlemen opposite on the Act of 1871. I do not think it gave absolute power to this parliament to create a province without regard to the provisions of the Act of 1867. Therefore it is important, in showing our powers here, to recite all the Acts under which we are proceeding. For that reason I would make the full recital. I think that would have been the course of a conveyancing counsel in settling deeds in matters of importance. He would not omit such important recitals as British North America Act and the Act of 1886.

Mr. FITZPATRICK. We will consider that. Before I move that the committee rise, perhaps we might have an understanding as to the order of procedure for to-morrow with respect to this Bill. Will it be convenient for us to take the educational clauses to-morrow ?

Mr. R. L. BORDEN. Perhaps we might take the land clause first, and after disposing of that take the educational clauses.

Mr. FITZPATRICK. Will it do to take all the clauses that remain undisposed of, and leave the educational clauses to the last ?

Mr. R. L. BORDEN. Yes ; I think that would be the best course. Of course, we arranged to discuss clause 2 and clause 16 together, because they are very intimately associated, as to their effect at least. But in moving any amendments in one or the other, we shall have to consider them separately for that purpose. Apart from that, the two might be discussed together.

Mr. FITZPATRICK. So that we might take up all the other unfinished business in reference to this Bill, and leave clauses 2 and 16 to be dealt with together ?

Mr. R. L. BORDEN. Yes ; I think that would be convenient.

Mr. MONK. Is it intended to take up clause 16 first or clause 2 ?

Mr. FITZPATRICK. I think that is a matter of absolute indifference, so far as the government is concerned. I think the logical order would be to take up clause 16 first and clause 2 afterwards.

Mr. MONK. I believe there are two amendments, one to each of these clauses, and we would have to separate the discussions.

Mr. FITZPATRICK. I do not think it likely that we can reach either of them to-morrow. Perhaps it will be more convenient to fix the next day for these two clauses, and dispose of the rest of the Bill to-morrow.

Progress reported.

ORDERS DISCHARGED.

Mr. FITZPATRICK. I wish to say that it is my intention to drop Bill (No. 157) respecting the district of Mackenzie, and Bill (No. 158) to amend the Keewatin Act. I do not think these Bills will be necessary in view of the amendments which I propose to make to the Northwest Territories Act. I am making provision for another system of government than that which we had in contemplation at the time these Bills were introduced for that portion of the Territories which remain undisposed of by the Autonomy Bills. The intention is practically to unite all the Territories, with the exception of Keewatin, under the administration of the Governor in Council. I move that these orders be discharged.

Motion agreed to, and orders dischargd.

On motion of Mr. Fielding, House adjourned at 11.20 p.m.

HOUSE OF COMMONS.

TUESDAY, June 27, 1905.

The SPEAKER took the Chair at Three o'clock.

NEW MEMBER.

Mr. SPEAKER. I have the honour to inform the House that the Clerk of the House has received from the Clerk of the Crown in Chancery a certificate of the election and return of George Smith, Esquire, for the electoral district of North Oxford, in the province of Ontario.

MEMBERS INTRODUCED.

Hon. Chas. S. Hyman, member for the electoral district of London, introduced by the Right Hon. Sir Wilfrid Laurier and the Hon. Wm. Paterson.

George Smith, Esquire, member for the electoral district of North Oxford, introduced by the Right Hon. Sir Wilfrid Laurier and the Hon. Wm. Paterson.

WIRELESS TELEGRAPHY.

Hon. J. RAYMOND PREFONTAINE moved for leave to introduce Bill (No. 186) to provide for the regulation of wireless telegraphy in Canada. He said: The Bill is a very simple one; it is to regulate the establishment of wireless telegraphic stations. It should have been introduced during the last session of parliament, in accordance with a suggestion of the British parliament. It is almost an exact copy of a Bill which was passed by the British parliament in 1904. It provides that no wireless telegraphic station may be established in Canada without a license from the Governor in Council. Its object is to regulate the establishment of such stations and to provide that they shall be conducted according to law.

Motion agreed to, and Bill read the first time.

BUSINESS OF THE HOUSE.

Mr. R. L. BORDEN. Before the Orders of the Day are called, I would like to bring to the attention of the government two Bills among the Public Bills and Orders as to which I have been asked to say a word. I am not dealing with the question whether or not the Bills should pass, but whether or not an opportunity should be given to have them discussed and, if the House is of opinion that they contain wise provisions, to have them passed. The first one to which I refer is Bill (No. 120), which is intended to provide penalties for making false representations to intending immigrants. The Minister of Justice and the Prime Minister are no doubt familiar with the scope of the measure. A perusal of it indicates that it is important and ought to be passed. If false representations are held out to persons intending to come to this country, and if by reason of these they are brought to Canada, the tendency of immigration towards our shores may receive a check. It is not creditable to the country that such practices should prevail. The other measure to which I refer is Bill (No. 67), which proposes to amend section 523 of the Criminal Code. I have no special opinion on the merits of this measure. I understand that it is intended to make it clear that when a person is on trial for certain offences the option of a trial by jury shall rest with the accused, and not with the magistrate before whom he is brought for trial. Whatever may be the opinion of the House as to the merits of this proposal, it would seem to me that, as it deals with an important matter connected with the administration of the criminal law, it would be only right, under the circumstances, to give to those interested in the Bill an opportunity to have the House pass upon it.

Sir WILFRID LAURIER. I am not prepared at this moment to express any opinion as to the propriety of having these Bills placed among government orders, even with the view of simply affording an opportunity to the promoters to have them considered by the House. However, we will take the matter into consideration, and I will inform my hon. friend what we can do at some later day.

WHARF AT INDIAN HARBOR.

Mr. R. L. BORDEN. I want to mention one other matter. I do not know whether the construction of public wharfs is in the hands of the Minister of Marine or the Minister of Public Works.

Sir WILFRID LAURIER. Public Works.

Mr. R. L. BORDEN. Will the Minister of Public Works be good enough to make a note of the fact that I have been asking for a copy of the petition for the construction of a public wharf at Indian harbour in the county of Halifax, N.S., including the signatures to the petition? Will he be good enough to send it to me or lay it on the table at his convenience?

Mr. FOSTER. In order that the Minister of Public Works may not lapse into idleness, will he kindly look up in his department and see if they have that short return on the construction of wharfs and buildings and the like of that and the incomes derived therefrom, which small piece of business was given into their hands some two months ago. I would like very much to get it before the budget speech is delivered. I do not know when that is going to be delivered. It is rather unusual for us to get into July before having it, but I suppose it will be delivered shortly. I do not see the Minister of the Interior here, but would like if the government would answer

whether they propose to finish the investigation into the Nixon case. The investigation held was very partial and inefficient, and the report does not at all cover all the ground of the charges. I would like a return of all the transactions in the sub-agency of Dominion lands at Macleod since the appointment of Nixon—giving in detail the applications, the names of the applicants, the subjects of the application, the moneys received and remitted in each case, with dates, in respect of lands, timber, minerals, purchases, licenses and leases, besides the date of the employment of the son in the office and the age of the son when first employed.

Sir WILFRID LAURIER. Yesterday, when the Nixon matter came up, I had no knowledge of it until the statement had been made by my hon. friend. Immediately after the discussion I went to my hon. colleague, the Minister of the Interior, and asked him to investigate the alleged facts and then confer with me regarding what action would be taken by the government, if any.

Mr. FOSTER. The report of the Privy Council appointing Mr. Myers as a Commissioner in the scrip case has been brought down. It seems to be confined to the complaints made by the half-breeds in North Dakota, or made on their behalf. Two petitions are here in the House, and I supposed were wide enough to take in all the petitions from the half-breeds. I want to call attention to a very important point. In a letter written by Mr. Chaffey on the 15th April, 1905, to Mr. Cory, the deputy minister of the department, among other things he said this:

> You will thus see every move in the department in this matter—whether premeditated or not makes no difference—has been in effect playing into the hands of Mr. Macdonald to the detriment of all other parties connected with the matter.

That is quite as important an allegation as the petition of the half-breeds. It is an allegation from a respectable barrister in Winnipeg, who throws a reflection on the department which is thoroughly warranted by the papers brought down. In another paragraph he says:

> I maintain that this is sufficient ground on which to hold up these cases until the matter be further examined.

Over and above all this he says to Mr. Cory, with whom he had a personal conversation some time before: You are possessed of a knowledge of fraud on the part of Macdonald with reference to these particular cases, and you are the only head I know of at present of that department and are therefore responsible and should take further action. That is still a graver statement than that made by the half-breeds. It is the statement that Mr. Cory quite well knew that frauds and misrepresentations had been going on in these matters in the department, and he called on him as the only head he knows at that time to take action. These two allegations intimately affect the department; and if there is to be any investigation, it ought to be sufficiently wide to take in that charge. Mr. Chaffey is either responsible or not. He has made his charge in writing, it is before parliament, and it is due to the department to have that matter thoroughly examined, either by your present commissioner or some one else. As to other matters which may develop when the other papers come down, we will speak of them when the papers are brought down. There is another point I would like the hon. gentleman to make a note of. I do not think any investigation will be satisfactory unless arrangements are made for a proper presentation of the charges and carrying on of the trial on behalf of the aggrieved persons. I think the government should follow the precedent it has established in other cases and allow competent counsel on behalf of the prosecution. I am sure the right hon. gentleman does not want any investigation which will not be absolutely effective, and it can scarcely be effective unless competent counsel on both sides are allowed to conduct the examinations.

Sir WILFRID LAURIER. There is great difference between the allegations made on behalf of the half-breeds and those made by Mr. Chaffey. The half-breeds allege that they were induced to sign papers which were not of the character represented, and being ignorant, unable to read or write, they easily fell into the trap. That is a special charge which can be investigated. But the charges made by Mr. Chaffey are of an indefinite and vague character. I know nothing of the correspondence except what I have heard from my hon. friend, but my hon. colleague the Minister of the Interior will look into the matter. As I understand it, Mr. Chaffey makes no specific allegations, but speaks generally of fraud. At present I would advise the Minister of the Interior (Mr. Oliver) not to decide to hold an investigation until he has had an opportunity to thoroughly master the facts in the whole transaction. When he has had an opportunity to consider the case, from first to last, and ascertain what frauds are really charged against the department, it will be for him to say whether he will deal with the case himself or whether he will order an investigation. At present, I think, it would be premature to promise that an investigation should be made in the charges of Mr. Chaffey, because they do not seem to be specific; they do not seem to cover a case which could be investigated. As to the manner in which the investigation should be conducted, if one is held, certainly I agree that no money and no effort should be spared to make the investigation tho-

rough and to bring to light all the facts in the case.

Hon. CHARLES S. HYMAN (Minister of Public Works). As to the returns referred to by the member for North Toronto, I may say that they will be very voluminous and will call for the collection of information that is not in the department at Ottawa, as well as information from several other departments. I will personally ask that the preparation be hurried in every way, but I cannot promise that it will be brought down at any particular time.

Mr. OLIVER. Inasmuch as the hon. member for North Toronto (Mr. Foster) has read the allegation of Mr. Chaffey against the department, I would ask him to be kind enough—for the purpose of placing it on 'Hansard'—to read the last paragraph of the last letter of Mr. Chaffey to the department.

Mr. FOSTER. I do not know that I have the last letter that Mr. Chaffey wrote to the department. The last I heard of Mr. Chaffey's correspondence he had assigned all his rights, titles, grievances and everything else to Mr. Macdonald—and the purpose of that assignment, I should think, is sufficiently obvious.

Mr. OLIVER. Would the hon. gentleman kindly read the paragraph? I think he has not stated frankly the contents of these letters.

Mr. FOSTER. It is up to my hon. friend (Mr. Oliver) to read it. He has it. I told him I hadn't it.

BUSINESS OF THE HOUSE.

Sir WILFRID LAURIER (Prime Minister). It was understood that we would today proceed with the Autonomy Bill. But I have been asked by some gentlemen on the other side of the House to give them an opportunity to discuss a matter connected with the cold storage system. The government has no objection to that course, and in order to give these gentlemen their opportunity I will move that the House go into Committee of Supply. But I would like it to be understood that if we want to we may move later on during the present sitting.

Mr. R. L. BORDEN. I think that perhaps the subject of cold storage might have seemed more timely on a warmer day, but the course proposed by the Prime Minister will be all right.

IMMIGRATION FROM CONTINENTAL EUROPE.

Mr. R. L. BORDEN. Before the Orders of the Day are called I would like to direct the attention of the government to a telegram which appeared in one of the newspapers yesterday, respecting a contract between the Canadian government and the North Atlantic Trading Company of Amsterdam. I understand that such a contract has been entered into for the purpose of encouraging immigration from the continent of Europe, the company being given a subsidy of £1 per head. According to the report, which comes from Amsterdam by cable, no such company exists or is known in that city. Is the government at liberty to give any information on that subject? I ask the question, as it seems peculiar that a company of this character, to which a fairly large subsidy is being given, should be so absolutely unknown in the place where it is supposed to have its headquarters. And I would like to ask at the same time whether the government has any knowledge of the intended immigration to Canada from Russia of a sect called the Molokans? I know nothing of the matter except what appears in one of the newspapers of the 24th inst. Is it intended by this subsidy to encourage the immigration of these people or has this arisen subsequent to the contract I have referred to?

Hon. W. S. FIELDING (Minister of Finance). There was some question as to the wisdom, all things considered, of submitting that contract to the House—

Mr. R. L. BORDEN. I am not asking that.

Mr. FIELDING. That question was to be the subject of a conference between some members of the opposition and certain ministers of the crown. Pending that, we prefer not to make any statement about it. As to the other question, I will have to ask my hon. friend the Minister of the Interior (Mr. Oliver) to give information as to the class of immigration. As to the wisdom of bringing down the contract, it was intended to have a conference with the leader of the opposition on the subject.

Mr. R. L. BORDEN. That would be satisfactory. I would be glad to confer with hon. gentlemen opposite. I understand the hon. gentleman (Mr. Fielding) reserves his decision in the matter and I reserve mine. Would the hon. Minister of the Interior (Mr. Oliver) be good enough to tell us whether he knows anything about the Molokans to whom I have referred ?

Mr. OLIVER. No knowledge has arrived yet, but it will be transmitted to my hon. friend (Mr. R. L. Borden) as soon as it comes.

Mr. R. L. BORDEN. I understand the Minister of the Interior to say that he knows nothing about this intended immigration?

Mr. OLIVER. The matter has not come to my personal knowledge. I will inquire in the department to learn whether the officials there have any information on the subject.

Mr. R. L. BORDEN. The minister will be good enough to make inquiry and let us know at a later date?

Mr. OLIVER. Yes.

MR. CHAFFEY'S LETTER.

Hon. GEORGE E. FOSTER. I find that I have here what I suppose to be the last letter written by Mr. Chaffey to the department. I did not know that I had the correspondence here:

Winnipeg, May 22nd, 1905.

Secretary, Department of the Interior,
Ottawa, Ontario.

Sir,—I beg to notify you that I have assigned, transferred and set over to R. C. Macdonald, Winnipeg, all right, title and interest, which I had or claim to have to scrip under the Order in Council of 13th August, 1904, under orders sent in by me, and that I have assigned and transferred to the said Macdonald to act on behalf of any claimants of scrip.

I therefore withdraw all claims whatever under and by virtue of said order sent by me, and withdraw all protests lodged by me against scrip being issued under orders filed with the department by said Macdonald, to which he now has any claim or order.

Yours truly,

B. E. CHAFFEY.

I think that is the last letter. I do not notice that he assigns or takes back the statements which he made to Mr. Cory.

Sir WILFRID LAURIER. He keeps his grievance.

Mr. FOSTER. Yes.

Mr. OLIVER. He withdraws all protests he has made against scrip being issued for Macdonald.

Mr. R. L. BORDEN. For a consideration.

SUPPLY—COLD STORAGE.

Right Hon. Sir WILFRID LAURIER (Prime Minister) moved that the House go into Committee of Supply.

Mr. J. E. ARMSTRONG (East Lambton). I wish to thank the Prime Minister (Sir Wilfrid Laurier) and the Minister of Agriculture (Mr. Fisher) for the opportunity of bringing forward to-day the subject I wish to place before the House. I think it is a question of sufficient importance to deserve the attention of the government. The subject I refer to is the manner in which our perishable products are transported in our country and from our seaports across the Atlantic. I wish to urge upon the minister the necessity of a more aggressive policy in the transportation of these perishable products. As the people are well aware, the farmers of the older provinces have been compelled to realize that they must give up the growing of hay and grain, for export and must keep cattle, hogs and sheep, and export these and also such products as butter and cheese.

During the last two months we have been spending days and weeks in discussing matters which should have been handed over to the provinces to deal with. Had we given the new western provinces the control of the lands, the minerals, the schools and the redistribution, the other important matters with which this parliament is properly charged would have been more fully discussed. We have voted money for a transportation commission to devise ways by which our perishable products of the farm could be taken to the markets in proper condition. But that commission has not yet been able to present to this House any report with reference to their labours. We have also a railway transportation commission. I think these commissions are a good thing, but although the Railway Commission is necessary to the general advantage of the Dominion of Canada, we find that this government is not urging upon that commission the necessity of attending to its duties, and looking after the interest of transportation. Why is not the transportation commission at work ? Whose fault is it ? Is there nothing to do ? I sincerely hope that the government will tell these gentlemen to proceed at once with their labours in reference to the transportation of our perishable products because the farmers of this country are losing millions of dollars for the lack of an adequate cold storage system and proper transportation in which to convey our perishable products across the Atlantic. These products are among the most valuable of our exports, and they require a great deal of skill to produce them. No matter how much care the farmers give to the production of butter and cheese and other perishable products, unless they have proper transportation facilities and adequate cold storage from the factories to the markets, they cannot expect to realize the same returns that they otherwise would. Cattle and their products require to be transported with a good deal of care. We may have farmers' institutes, travelling dairies, live stock associations, fruit growers' associations, agricultural and horticultural societies without end, but unless we have proper transportation facilities we cannot expect to reap full returns for our labors. The farming industry is the greatest industry in this country. It is estimated that we have 500,000 farmers. The area now under cultivation is 30,000,000 acres. Value of farm corps in Canada, 1904, $363,000,000. Value of farm property in lands, buildings and farm implements, $1,500,000. The exports for the year 1903-4 were, agricultural products (domestic), $37,138,875 ; animals and their products (domestic), $63,812,117, total, $100,950,992. I would like to ask the Minister of Agriculture to tell us why it is that while last year, if I remember rightly, we export-

ed in the neighbourhood of $114,000,000 of agricultural products, this year we only exported $100,000,000. I have no doubt the minister will tell us that we did not export quite as much wheat out of the country in 1903-4 as we did in the previous year. But I want to tell him that we had a lot of perishable products that we would have exported had proper transportation facilities been provided. I desire to call the attention of the House to the importance of this question, and I will refer for a moment to the value of some of the perishable products in each of the provinces. The province of Prince Edward Island has 5,000 acres of apple orchard, mostly young trees, and 100,000 other fruit trees. Nova Scotia has 35,000 acres in orchards, and exports each year an average of 500,000 barrels of apples. New Brunswick has 8,900 acres in orchards and fruit, 1,000,000 apple trees, less than one-half of these in bearing ; production now is over 500,000 bushels. Quebec produced last year 2,025,113 bushels of apples. Ontario has 500,000 acres in orchards and fruits, 7,551,639 apple trees of bearing age, 1,989,983 young trees not bearing. The crop of 1904 according to the Ontario Bureau of Industry was 43,659,413 bushels. In round numbers, there were 15,000,000 barrels of apples, giving an average of a little over 2 barrels per tree. And when you come to realize that the total exports of apples in this country only amounted to a little over 1,500,000 barrels, and when you take into consideration that the estimated exports of canned fruits and dried apples amounted between four and five hundred thousand barrels, you will perceive that something is wrong. In Ontario also we have 811,725 peach trees bearing, 470,772 young peach trees not bearing, 2,620,036 grape vines in the province which produced in 1901 23,156,478 pounds, not mentioning small fruits such as berries, cherries, plums, &c. I merely give these figures to call the minister's attention to the importance of the subject which I am presenting to the House. The census of 1901 gave a total of 21,278,465 trees of which 15,000,000 were apple trees. Of this number 6,304,402 or about 30 per cent, were not of bearing age. Now if the minister is not able to cope with the transportation of the fruit products that we have at the present time, how can he expect to cope with the largely augmented production which we expect to have in a few years, in consequence of the encouragement which the government is now giving to the people to plant more fruit trees of different kinds. An enormous and increasing production is now going on in practically every province in the eastern part of the Dominion. Manitoba, the Northwest and British Columbia are not great fruit countries. Another word with regard to apples. The estimated production of apples in the province of Ontario, according to the bureau reports, is about 15,000,000 barrels ; the statistical year-book only gives 13,000,000 barrels. The Ontario Bureau of Industries gives it as 14,553,137 barrels, and the rest of the provinces are credited with 4,944,922 barrels. The total in all the provinces is 19,548,059. Thus in round numbers 20,000,000 barrels were the production of Canada in the year 1904. Deducting from that the 2,000,000 barrels which were exported there were left in the country practically 18,000,000 barrels. Suppose that we have wasted and eaten in the various provinces of the Dominion 8,000,000 barrels, there would still be left 10,000,000 barrels of the apple crop of this country that should be going to the markets of Europe. If we could export these apples in the best cold storage systems, we could easily increase the value of that product at least 50 cents a barrel which would give to the farmers of this country an extra $5,000,000 to spend. I realize the importance of this question for more reasons than one, because not only in the western peninsula in which I live, were there hundreds and thousands of barrels rotting on the ground during the last year, but in the eastern part of the province of Ontario many many thousands of barrels have been rotting for lack of proper transportation and cold storage facilities to the markets of Europe. I would urge upon the minister the great necessity of looking into this question more sharply and more carefully for the benefit of the apple growers of this country.

There has been a marvellous increase in the production of fruit in Canada between the years 1891 and 1901. In 1891 Canada produced only 8,561,145 bushels of apples or in barrels, 2,853,715 whereas to-day she is producing annually 20,000,000 barrels. We are still urging the people to go on and plant orchards, to go into the fruit industry and yet we are not able to cope with the production which we have for export at the present time.

The growth in the production of other fruit during this decade has been as follows :

Fruit.	1891.	1901.
	Bush.	Bush.
Pears	229,279	531,837
Cherries	196,859	336,751
Plums	269,114	557,875
	Lbs.	Lbs.
Grapes	12,252,231	24,302,634

I merely quote these figures to show the enormous development of the fruit industry of the Dominion of Canada and the urgent necessity for providing adequate transportation facilities. The development of the cold storage system in the United States has revolutionized the apple trade of that country. It is estimated that there are in the United States 150,000,000 cubic feet of space devoted to cold storage applied to the different perishable products of which 50,000,000 are devoted to fruit.

The United States Department of Agriculture reports as follows :

Cold storage is having an important influence in developing the apple industry. . . . The apple is now the principal crop in large sections of the country.

I wish to call the attention of the minister to some other United States reports. I have here a report called 'The Apple in Cold Storage' issued by the United States Department of Agriculture. This report says :

Apple culture has attained such proportions in the United States that the harvesting and disposition of the crop have become matters of national importance. A general failure of the crop of winter apples in any season results in serious disturbance of commercial conditions in many important agricultural regions and involves heavy losses to mercantile and transportation interests, as well as to the growers. At the same time it inflicts a serious hardship upon consumers by depriving them of this the most useful fruit in their household economy.

. . . . .

The successful keeping of apples on a large scale in refrigerated storage, which began about 1890, was welcomed by the growers and dealers as a solution of the problem.

I wish to call the attention of the minister to the temperature at which the apples are being taken into cold storage in the United States :

The investigations indicate that the ripening processes are delayed more in a temperature of 31 degrees to 32 degrees F. than in 35 degrees to 36 degrees F. The apple keeps longer in the lower temperature, it scalds less, the fruit rots and molds, is retarded to a greater extent, while the quality, aroma, flavour, and other characteristics of the fruit are fully as good, and when removed from storage it remains in good condition for a longer period.

We have to-day three systems of cold storage, the direct expansion, the brine circulation system and the indirect expansion, or cooled air system. I have not time to take up the different systems with reference to their advantages and disadvantages, but I wish to say that it is necessary to have the very best class of cold storage machinery in order that we may secure reasonably good results.

I wish now to call the attention of the minister to page 9 of the report of the Select Standing Committee on Agriculture of this House, with reference to the markets of Europe. Mr. W. A. Mackinnon chief of the fruit division of the Department of Agriculture in 1903 visited the fruit markets of Great Britain. In reply to a question from Mr. A. A. Wright, he said :

At Manchester, Bristol, Hull, Leith and Aberdeen there are received occasionally shipments from Canada, but Liverpool, Glasgow and London get the bulk of Canadian fruits.

. Now I want to say just a word as to the views of the British trade as to Canadian fruit. In regard to apples, when good, they are said to be unsurpassed in quality and appearance, and they are always wanted when they arrive there in good condition. There is practically an unlimited demand for good fruit to retail at about 2d. or 3d. a pound. Above 3d. the sale goes off wonderfully. The demand is then restricted to people of means.

By Mr. ROSS (Ontario) :

Q. How many pounds are there in a barrel of apples?

A. They call the Canadian barrel 140 pounds.

Q. That would realize about $7 a barrel when retailed?

A. About that.

I wish to call the attention of the minister to this in order to show him that only a small proportion of the markets of Europe are being covered with the fruit that comes from this country. A little further on in the same report of the committee Mr. Smith asked a question in reply to which Mr. Mackinnon said :

I might give the committee the prices realized by a Canadian grower who shipped to Hamburg No. 1 greenings. The average price was $4.85 per barrel. The expenses were : freight to New York, 38 cents ; New York to Hamburg, 75 cents ; cold storage, 25 cents ; commission, say 17 cents. That is a total of $1.55, leaving a net return of $3.30 per barrel.

The markets are demanding a better quality of fruit and this necessitates greater care in the selection of the fruit and also in the transportation. Cold storage increases the commercial value of the article shipped, and I would ask the minister now, if we cannot have distributing agents at the different European ports who would see that our products are properly distributed to the purchasers. The minister himself has reported that Canadian products remain for days on the docks of European ports, and it can easily be seen that if this should happen to fruit shipments, the fruit must deteriorate and the return to the producer be consequently less. I understand that the Minister of Agriculture has a number of men in Europe looking after the transportation records, and I would suggest that the services of these men should be utilized to take care of the fruit after its arrival and see that it is distributed properly. I would ask the minister also if he has considered the establishment of cold storage in England, so as to equalize the distribution of the perishable products in that market. I would point out that we have four means of transporting our products. The crudest form is taking our goods and battening them down in the hold of the vessel like wheat or oats. There is another system which consists of ventilation, requiring fans to introduce the sea air and exhaust the foul air in the hold of the vessel. The cool air system is a sort of hybrid between cold storage and the crude form of battening down our goods to which I have referred ; and while the cool air system is a very good thing yet it costs 36 cents per barrel for apples. Some years ago when the Minister of Agriculture asked this House to grant him money to place ventilating machinery in the trans-

atlantic steamers, he told us that the cool air system would be provided without any extra charge to the shipper. I quote from page 5167 'Hansard,' 1901 :—

Mr. SPROULE. I understood that the rates last year were raised one-half. Has the minister been able to make better arrangements this year ?

MINISTER OF AGRICULTURE. That was for freight in cold storage chambers. This is for freight in the ordinary hold of the vessel, and one of the conditions is that the rates shall be the ordinary freight rates.

Mr. CLANCY. How does this compare with the cost of the Mackenzie cold storage ?

MINISTER OF AGRICULTURE. The cost on a steamer of the ordinary carrying size would be about $8,000. We would pay $1,333 each year for three years. This is for the ventilation of the hold of the vessel.

Mr. SPROULE. Is that without the mechanical cold storage ?

MINISTER OF AGRICULTURE. We must cool the air by mechanical apparatus, the cost of which with ventilating shafts is about $8,000. The other arrangement was a mechanical apparatus to cool the air in a closed chamber into which articles like butter and poultry, which require low temperature were placed. But vessels carrying in their holds in the ordinary way thousands of barrels of apples or thousands of boxes of cheese, when the hatches are closed tight, the cheese or the apples develop a heat of their own, the effect of which is to reduce their value. We propose to arrange the hold so that there will be ventilating shafts through it and out of it and an intake of air from the outside. This air would be cooled by mechanical apparatus and forced through the hold, cooling the air about the barrels or boxes.

I will later on show that the minister was mistaken when he said that there would be no charge made for the use of the cool air appliances, and he himself must know that at the present time the transportation companies charge for this service. The fourth means of transportation is by cold storage proper, which is the best system for carrying our perishable products to the mother country, and in this connection I draw the attention of the House to the fact that the treatment of cheese in cold storage increases the value of that product not only in this country but in the transportation across the Atlantic. The United States people have taken a great deal of pains with reference to the cooling of their cheese products, and in their report on the subject it is stated :—

To cool cheese the use of a temperature from 52 to 58 is advocated by the Canadian authorities. This stands midway and should be at least 40 degrees.

It is also stated that as a result of the experiments in the United States, cheese was kept at temperatures from 25 to 30 in curing chambers for a period of 18 months and with the very best results. It is distinctly stated by the United States investigators that by the ordinary cooling of cheese in ordinary factories there is a loss of from four pounds to seven pounds on each package, whereas if the cheese is properly taken care of and placed in cool curing rooms there is a saving of at least two pounds to the package on shrinkage, and not only that but also an additional value added to the product amounting to at least from one-half cent to one cent per pound. The minister has in his own possession letters from England showing that the cool curing of cheese which has been lately undertaken, has enhanced the value from one-half cent to one cent per pound. I call attention to the fact that the cooling of cheese at from 52 to 55 or 58 degrees is nothing like as valuable to the cheese producer as if that cheese were cured at 40 and below. The United States authorities after referring to the temperatures used in the Canadian cooling stations state distinctly that our Minister of Agriculture is only going midway in the process and that he is not going anything like far enough. I am satisfied that if the hon. gentleman studies this question more closely he will discover that this statement is true. The authorities in the United States have made tests with temperatures as low as 15 above zero, and these tests have been most satisfactory. As a result, they declare that the lower temperatures are giving the most satisfaction to the people of that country and that it has reduced the shrinkage and enhanced the value of cheese. Now, with reference to the butter industry of this country. At page 24 of the report of the conference of dairy instructors and experts, Mr. J. A. Ruddick, chief of the dairy division of the Department of Agriculture at Ottawa, made the following remarks :

We are beginning to learn, although it seems to be a slow process, that it is important that butter should be kept at as low a temperature as possible from the time it is made. Canadians have been losing a good deal of ground in the markets of Great Britain through negligence on this point. In that respect we are a long way behind our friends in New Zealand. All the refrigerator steamers sailing from New Zealand carry frozen meat. It is a matter of necessity that the temperature in the chamber be kept very low. As a matter of fact they are carrying frozen meat at a temperature from zero to ten degrees. Butter, when it is shipped from New Zealand to England, is placed in the chamber along with the frozen meat. The steamer is one large refrigerator, and the cargo is mainly frozen meat. The refrigeration on them was provided, in the first place, for the frozen meat trade. As the butter trade has grown, the same boats have been used for the purpose, and so they have the best possible service for sending butter to England. One great point is, that as the butter must be put in the same chamber with the frozen meat, it is not accepted for carriage unless it is below the freezing point of water. If butter comes alongside to be loaded, and the thermometer shows it to be above 32 degrees, the engineer will send it back to store. To take warm butter aboard and store it in the refrigerator chamber would have the effect of spoiling the frozen meat, which is very valuable cargo. Butter to be exported from New Zealand is put in store and frozen, and kept at

a temperature of 10 degrees at least four full days before going aboard the steamer. So the butter is kept at a low temperature from the third or fourth day after it is made until it reaches England. This is one reason why New Zealand has been making such great progress in securing the trade of Great Britain for her butter. They are getting a good price, almost equal to Danish.

I want to call the minister's attention to this paragraph, because our butter industry is losing ground. We did not ship in 1904 anything like the quantity of butter that we did in 1903; and we cannot expect our butter industry to grow and expand as it should when our butter is carried in the cars at a temperature of from 53 to 58, and in the vessels crossing the Atlantic at a temperature of 35, in face of the fact that the Argentine Republic and New Zealand are sending their butter to England well cared for all the way. Mr. Ruddick goes on to say :

I do not wish to go too far afield, but as we compete with New Zealand and with Argentina, it is important that we should understand their methods. In New Zealand they have artificial refrigeration in nearly every creamery. The butter is shipped once or twice a week to cold storage, and kept there at a temperature not above 10 degrees. It reaches the ocean steamers at a temperature not higher than 32 degrees, no matter how far it has to be carried. It can be carried for a day's journey down the coast without refrigeration, and yet without the temperature rising above freezing point.

The minister has been encouraging the creameries to put in artificial refrigerator plants. I know of some creameries that have done so. I happen to be the president of a creamery which is manufacturing at least a ton of butter a day. Three years ago, after reading the minister's reports and looking into the question ourselves, we decided that it would be in the interest of the farming community to establish a thoroughly up-to-date creamery, with a refrigerator plant, so that the products would be kept at a low temperature, placed on the cars at a low temperature, and sent to the markets of England in proper condition. We have been carrying on that industry for three years, and although we have been trying to send our butter from the factory in a temperature below 32, it is placed in the cars which have an average temperature of from 53 to 58, and into the boats to cross the Atlantic at a temperature of 35, and when it reaches the other side it is allowed to remain on the docks for days at a temperature of perhaps 90. What encouragement have we under these circumstances to go on with the work which we have undertaken? If the minister urges us to place in our factories cold storage systems he should see that provision is made in the cars and in the steamers which cross the Atlantic, for keeping the butter at a proper temperature. The minister may say that he cannot provide a better temperature than that provided on the cars. If he looks at the frozen meat trade of the Swifts and the Armours, who send millions of dollars worth of products from Chicago to New York every year, he must realize that he can get a better temperature on the cars than an average of from 53 to 58. This is a statement made by Mr. Knowlton :

Now Mr. Knowlton reports that he found the temperature of butter when delivered on the cars in some cases as high as 58 degrees, while 52 degrees was very common. It was only occasionally that the temperature of butter coming out of the cars or coming out of the creamery was lower than 48 degrees. The lowest temperature noted was 38 degrees, but that was very rare.

Let me call the minister's attention to his own statement with reference to the refrigerator car service:

Now, as to the refrigerator car service, I am not going to bother you with many details. You are all familiar with the facts, or, if not, you can get the details as to rates and rules for shipment in refrigerator cars running to Montreal from over forty different points. These cars are not intended to refrigerate the butter —they cannot be kept cold enough for that. The object is to keep the butter in a cool condition if it is delivered so. If it is at 64 degrees when it goes into the car it cannot be delivered cool at Montreal. One of the cars that arrived in best condition in Montreal last year came all the way from Calgary. The butter was at a temperature of 48 degrees. The reason why it reached Montreal at this comparatively low temperature was that the butter was cold when it was put into the car, and the car had been iced well along the way.

I have tried to show the House the advantage of low temperature for conveying cheese products and butter products from the factory to the market. I want to draw the minister's attention to his cold storage appliances at Woodstock and Cowansville and other places in the country. Some years ago he placed a six-ton machine at Woodstock, but he found that it was merely a toy machine. He removed the machine from the factory, and tried to put in cold-air storage. He distinctly says that the temperature of the Woodstock creamery is from 55 to 58. I want to ask the minister if he believes that that temperature is of very great benefit to the farmers of this country as a demonstration of the necessity of having cold storage in their factories. It is certainly a very high temperature. I wish the minister to compare that with the temperature at which the New Zealand butter has to be placed in the boats. The hon. gentleman has cold storage establishments in this country that have cost the country many thousands of dollars. Why did he not put in a proper plant, a plant sufficient to cool the temperature and keep it down so that the goods could be taken into the cars and transported in better condition. On page 102 of the Dairy Inspector's report, with reference to the Brockville curing

rooms, I find that the temperature there was for twenty-four days in the last two years at an average of 74. How can you expect good results with that temperature? The average in the Brockville curing rooms was from 60 to 70 degrees, yet the minister is demonstrating to the people the necessity of such cold curing rooms. I wish to be understood as not condemning cold curing rooms or cold storage plant if sufficient to cool the butter and cheese and other goods placed in them. I believe it to be a good thing to demonstrate to the farmers the necessity of cold storage, but you cannot do that with temperatures ranging from 53 to 58. The minister should put in a machine that would bring the temperature down below freezing point at least. He could then expect that the products would be transported in altogether better condition than they are at present.

Mr. FISHER. Do I understand my hon. friend to say that the temperature in the cool curing rooms ought to be down below freezing?

Mr. ARMSTRONG. Yes; I have tried to prove from the reports from the United States that the lower the temperature the better the results. They have made tests as low as 15, and distinctly state that the lower the temperature the better the results and the better the quality of the cheese. I feel satisfied that if the hon. minister will investigate he will find that to place cheese below the freezing point is not a disadvantage, but rather an advantage.

On page 12 of the Minister of Agriculture's report we find the following with regard to the cool curing of cheese:

> The cool cheese curing rooms at Woodstock, Brockville, Cowansville and St. Hyacinthe, for which I asked an appropriation from parliament in 1902, have now been in operation for three seasons. During this period 119,805 boxes of cheese have been cured at these establishments, being a sufficient quantity to make an impression on the market and to attract considerable attention. I am informed that during the past season cool cured cheese have been sold at an advance of one-eighth to one-quarter of a cent per pound above the highest price obtained at some cheese boards for ordinary cured cheese. The difference in price will be greater when the superior qualities of cool cured cheese are better known. The merchants who received the cheese had them examined by members of the trade in their various localities. The report on one lot was as follows:
>
> (a) Cool curing during the summer months is a decided improvement over the ordinary method, and improves the quality of the cheese not less than two shillings, and in some cases four shillings per hundredweight.

I again call the attention of the minister to this fact, that a temperature of 55 is certainly better than one of 80 or 90, but he is not going far enough. He requires to cool the cheese at a lower temperature, and after it is thoroughly cured carry it in the lowest possible temperature on the cars and across the Atlantic. The hon. gentleman has letters bearing out those facts and many more with reference to the shippers. Let me call his attention to this fact, that in Canada the total cheese production amounted to 232,980,716 pounds; and if you would increase the price by a cent a pound, you would have an increased value of $2,334,807.16 to the farmers of this country. If we could have proper curing rooms and transportation across the Atlantic, that would be a great advantage to the farmers. It would have the effect of placing into their hands $2,000,000 more than they are getting to-day. The hon. minister will not deny that the products, to some extent, are gathered together in box cars, and although the minister is not responsible for the gathering of these products in different parts of the country, yet the refrigerator cars he has should be more thoroughly insulated, and more care should be taken to provide facilities for keeping the temperatures lower than they are kept at present. To some extent the hon. minister subsidizes the cars of this country. He ices them free of charge and subsidizes them to a certain extent, yet they are not giving the service they should. The loss in moisture is less at lower temperature. The commercial qualities of cheese carried at low temperature are better and command higher prices. Cheese can be held long at a lower temperature without impairment of the quality. Fruit ought to be carried at 35 to 36, but is being carried across the Atlantic at a very much higher temperature. On transportation and cold storage the government has spent as follows: $254,740.02 on steamships; $13,997.35 on cars; $74,105.44 cooling rooms and care, total $342,842.81; with what result? From the minister's own explanation, in reply to a question I asked him early in the session regarding the quantity of cheese, butter and eggs and apples taken in cold storage and in cool air ventilated storage, we have these figures: Cheese in boxes, none of it in cold storage, 102,238; boxes in cool air and in ventilated or ordinary storage, 1,968,869. It can therefore be readily seen that, so far as the cheese industry is concerned, the shippers are not taking advantage of cold storage plant crossing the Atlantic, and no doubt it is because they are charged an extra price if they do so. Butter to the extent of 487,182 packages went in cold storage, and only 202,516 in ordinary storage. Of our exports of eggs, 1,000 cases went in cold storage, none in cool air and 78,625 cases in ventilated or ordinary storage. I am sure the minister will agree with me that it is not wise to have such a large proportion of so perishable an export as eggs carried in ordinary storage. Of bacon, none was carried in cold storage; 18,072 cases in cooled air, and 68,720 cases in ordinary storage. And now I come to the export of apples. I wish to call the minister's special

attention to this. Of the apples exported in barrels, only 5,450 barrels were carried in cold storage ; 1,521 barrels in cooled air, and no less than 321,749 barrels in ordinary storage. Surely the minister will see that if he was giving this subsidy for cooled air transportation, he should have compelled these steamship companies to carry the apples in that manner without making the people pay 36 cents per barrel extra. Of the apples exported in boxes, only 827 boxes went in cold storage ; 1,003 went in cooled air, and 24,728 in ventilated storage. The minister says :

> The bulk of the butter discharged from each steamer is removed within a reasonable time, but the balance is allowed to remain for days before delivery is taken.

Now, I wish to call the attention of the minister to the contracts he entered into with these transportation companies. One is a contract with Messrs. H. & A. Allan, dated April 19th, 1900. This is the same as all the other contracts that I have before me regarding refrigerator storage. They call for a temperature of not more than 30 degrees Fahrenheit for butter and not over from 34 degrees to 38 degrees for cheese and fruit. The minister must realize, as well as I do, that the thermograph records show that these products are not carried below 30 degrees as required for butter or 34 degrees to 38 degrees for cheese and fruit, but that the temperatures were very much higher. And yet, the minister cannot compel the transportation companies to keep the temperature within any fixed limits. Not a word is there in these contracts to compel the companies to maintain on these vessels any specific temperature. The suggestion is made in the contract, but what else do we find ? We find in the fifth paragraph a provision that neither the government nor the steamship owners shall be responsible for the condition of cargo from any cause whatever ; but every reasonable precaution shall be taken by the steamship company to protect the cargo. But there is not a word by which the steamship companies are compelled or under which the minister can compel them, to carry our perishable products at any certain temperature. I will call his attention to another fact. As I understand, under this contract he must grant $10,000 to each of the steamers for cold storage. I have here an estimate of the cost of a cold storage plant to be built at Colborne, Northumberland county, Ontario. This plant will afford 400,000 cubic feet of storage room and the estimated cost is $50,000. The minister pays $10,000 for a half interest in the cold storage of a steamship, or at the rate of $2.00 per cubic foot, whereas these people in Colborne get their cold storage at the rate of 25 cents per cubic foot. And, under these contracts as I have said, the steamship companies may carry our perishable products across the Atlantic at any temperature they please. The government officials have no power to inspect, and if they go on the boats on their crossing the Atlantic, they go because they are allowed that privilege by the owners of the boats. I shall show later on many cases in which the temperatures stated in the contracts have been exceeded, and yet the minister is quite powerless to compel a change.

Let me call attention to the contract with reference to cooled air. That contract says that the carriage of cheese and apples and other perishable products is to be in a temperature not over 60 degrees Fahrenheit. Think of carrying the perishable products of Canada across the ocean at a temperature of 60 degrees. How can the minister expect apples which should be carried at a temperature of 35 degrees, to arrive in a good condition on the other side of the Atlantic if they are carried at a temperature of 60 degrees ? I have here two copies of thermograph records that were taken on the decks of vessels when crossing the Atlantic. And what do they show ? One shows the average of the outside air of the ship to have been 48 to 53 degrees. Yet, the minister enters into a contract with a company that fixes even the nominal maximum at 60 degrees. I am sure the hon. minister does not realize the importance of this matter ; he has not considered what it means to have these perishable products carried, as I can show they have been carried, at from 60 degrees to 70 degrees. But even though they were carried at 90 degrees the minister would be quite helpless, for he cannot compel the company to maintain proper temperature.

Mr. FISHER. Will the hon. gentleman state at what time of the year these thermograph records on deck were made ?

Mr. ARMSTRONG. One is a thermograph record on the steamship 'Corinthian' to Glasgow, September 28th ; and the other is on the steamship 'Lucanian' for Glasgow, on October 5th. These are the only two records we have on the steamers crossing the Atlantic. I want to suggest to the minister that there should be a record kept on the deck of every steamer, and then we would have a knowledge of what goods were being carried in the holds of the vessels. Now on page 5168 of the 'Hansard' of 1901, the minister stated there would be no extra cost for this service, yet we find in this same contract that the people have to pay a large amount of money for the transportation of these products in this cold air system. They are charged 36 cents per ton for butter and cheese. The minister must admit frankly that he said he would not make a charge on goods crossing the Atlantic, and still he enters into a contract with these men allowing them to make a charge, and compel the people to pay a large amount of money. I wish to call attention

to the report of the Minister of Agriculture on page 23, where he says :

On the whole, the temperatures in the cold storage chambers for butter were not kept as low in 1902 as in 1901, and the department has advised that the temperature for butter should be maintained under 30 degrees Fahrenheit, and as near 20 degrees Fahrenheit as practicable.

Now I want to call the minister's attention to some thermograph records.

Total number of thermograph records taken, 215. Butter from Bristol, 30 records give as follows : 19 charts, average 30 or under ; 6 below 20 part of the time, 2 of which show an average of 10 degrees for the voyage from start to arrival.

If that steamer was able to carry two cargoes at a temperature of 10 below, the minister must realize that the steamships are not doing justice to our perishable products if they carry them at these higher temperatures. This steamer took over five out of the 18 below 30, to Bristol, and only one averaged over 30. I would recommend the minister to publish reports of all ships that are carrying products across the Atlantic in proper condition, and those that are careless in carrying those products, so that the people may know how their goods are being taken across.

Of the 11 charts to Bristol over 30 degrees, 9 would reach 30 degrees the last day, and would all average about 35 for the voyage. Butter should be at 10 degrees above zero. Many cold storages keep butter below zero. Buffalo cold storage is 5 degrees below zero. Cheese should be carried at from 32 to 33 at most. Butter at 35 is like cheese at 78 or 80.

Now here is a shipment in ordinary storage :

Bristol, ordinary storage, cheese, 3 shipments averaged 60 degrees. Cool air compartment, cheese, 1 shipment averaged 60.

How can the minister explain to us that by the cool air system these people are sending over that cargo of cheese at 60 degrees temperature, and here in the ordinary storage they are able to carry it over, as is done by the other shipments for Bristol, at a temperature of 60 degrees?

Montreal for Manchester : apples, ordinary storage, 1 average 49. Butter refrigerator, 3 average 27, 2 average 28, 1 average 29, 2 average 30, 3 average 33, 3 average 35. Liverpool, cheese, cool air, 8 records : 3 average 50, 2 average 55, 1 averages 60, 2 average 65.

I am sure the minister must agree that the cool air system carrying that cheese over does not compare satisfactorily with the refrigerator system, and that the men must be either very careless in handling that product, or it should be carried over at a lower temperature.

Cheese, ordinary storage, 2 records : 2 average 65, 1 averages 65, 1 averages 68. Apples, ordinary storage, 4 records : 2 average 58, 2 average 60. Steamship 'Bavarian,' average 64. Steamship 'Parisian,' average 65.

We cannot expect to carry apples over at a temperature of 65, and get good results in the markets of Europe.

Apples in refrigerator : 3 average 33, 2 average 45. Fruit in refrigerator : 1 averages 50. Steamship 'Vancouver,' August 26, refrigerator, butter, fresh salmon, cases of tongue, July 8, steamship 'Kensington : first two days, 42 average 35 ; August 14, steamship 'Bavarian' : butter and meat, average 34. Liverpool, beef cold storage : 2 average 26.

I am sure the minister can see that if they can carry meats at a temperature of 26 and lower, there is no excuse for them not carrying butter at that temperature. I am not going to call attention to the different thermograph records, only the average of all the records that have been carried across the Atlantic, and summing them all up. I wish to place before the House some of these facts :

Butter, 2 carried at a proper temperature of 10 degrees above zero, practically only 2 out of 215 shipments have been carried at the proper temperature ; 1 was carried at 15, 12 at 20, 8 at 25, 82 at 30, 40 at 35, 1 at 40.

The minister will agree with me that butter should not be carried at anything over 30 degrees, yet here he has carried 40 shipments at an average of 35 degrees, and in these contracts he says that these men should not carry butter at over 30. This is the way he compels steamship companies to keep temperatures at 30 degrees. What is the minister going to do with reference to these shipments of butter that have been sent over there, eight at 35, one at 40 and one at 45 ? Then we had shipments of apples; there were eight shipments at 35 degrees, that is at about the proper temperature for the carriage of apples, two at 40 degrees, two at 45 degrees, three at 50 degrees, three at 55 degrees, seven at 60 degrees, three at 65 degrees, one at 70 degrees. Out of thirty shipments of apples practically only 8 have been carried at the proper temperature. Of cheese there were shipments, one at 35 degrees, two at 40 degrees, one at 45 degrees, 12 at 50 degrees, three at 55 degrees, 13 at 60 degrees, five at 65 degrees, and one at 70 degrees. The minister will realize that cheese should be carried at an altogether lower temperature than that ; he cannot expect the best results unless he secures this. I feel that I was justified in the statement I made that in connection with the cold storage system in the cars and in the boats the minister has to a certain extent been humbugging the people of the country. How long does he expect the people are going to submit to a loss of millions of dollars on their apples and other perishable products in crossing the Atlantic without his putting forth a hand to assist them ? The loss to Ontario on the shipments of 165,306,573

pounds of cheese at 1 cent per pound, is $1,653,065.73 and the shrinkage, two pounds loss for every one of 2,066,332 boxes at 10 cents a pound would be $413,266.40, or a total loss to the province of Ontario on cheese alone on account of improper curing and transportation of over $2,000,000.

Then let us go further. There are in Ontario, 57,102 patrons of cheese factories, and this means to these people a loss of $36.18 each per year. It practically means that the farmers of Ontario are losing a good cow each every year because the minister is not taking proper precautions with reference to the transportation of their perishable products.

The apple production of Ontario amounts to 15,000,000 barrels, and there is a waste and home consumption of 5,000,000 barrels as I said before. This leaves 10,000,000 barrels for export. The trade and navigation returns tell us that the total export apples of Canada, amounted to 2,000,000 barrels. Would it not be better for the minister to tell the people of the country to cut down their trees instead of allowing them to go on and expend money in planting trees and increasing production when he is not able to afford transportation for the product? I am sure the minister cannot say that the system is better this year than last year. I would like him to explain what improvement there has been. He may tell us that he has taken out the cold storage appliances from the cool curing rooms in Woodstock and Brockville and substituted cool air appliances, but I am confident that he is not improving them by that means to any material extent. It is not the farmers who are to blame for this loss, they are doing their best, packing their apples in boxes and taking the greatest care in shipment. We have the Fruit Marks Act and are practically compelling the farmers to have their butter and cheese in proper condition and yet in the transportation of these products the government are most careless. It is the duty of this government to find markets for all these products and see that proper transportation facilities are provided for them. This promises to be a great fruit year, and might I ask whether the minister has given any special attention to the transportation of the fruit products of this country this year, so that he can improve the condition of the trade. Will we again see hundreds and thousands of barrels rotting on the ground ?

Then too, more attention should be paid to the St. Lawrence route for the transportation of our products. In 1903, $132,000,000 worth of freight went out by that route. The insurance rates are high, the Montreal harbour dues are high, steamers cannot navigate day and night owing to lack of sufficient aids to navigation, while inefficient and expensive methods of loading, and an inferior pilotage system all hamper the trade. If the St. Lawrence route were properly safeguarded and protected, the trade of this whole continent would be revolutionized. Cannot these matters be remedied for the benefit of the whole of Canada ? We are legislating day by day and spending millions of dollars in assisting the transportation of the products of the Northwest Territories. We are proud of that country, and justly so, proud of its great expansion and present progress. It adds to our commerce and to our national growth, but I must urge upon the Minister of Agriculture the necessity of paying more attention to the older provinces. The older provinces have need of most careful attention with reference to transportation of their perishable products on which they must largely rely for returns from the outside world.

Then too, better provision should be made for the transportation of these products to the western portions of Canada. These products cannot be carried out there in proper condition unless proper facilities are provided.

I would ask the minister if the boats that are equipped with cold storage appliances have separate engines to take care of the cold storage. If he is relying on the steamship engines to run the cold storage plants then he cannot expect that the temperature will be kept down when the vessels are in port. Has the minister made any experiments looking towards the adoption of any new ideas along the line of transportation and cold storage ? If he has done so he should explain them to the House in order that they may be debated here. New Zealand and the Argentine Republic are able to carry their goods across through very hot climates for 30 days. Mutton in New Zealand has doubled in value since the cold storage system was applied to the meat trade of that country. If the minister examines into it he will realize that unless we keep the temperatures down we cannot expect to have our products carried in good condition. The minister should at once bring in a Bill similar to the Cattle Inspection Act. We inspect the cattle before they leave the country, we go on board the ships and see that the regulation space is provided for each animal.

This government should have power to control the temperatures to which perishable products are subjected on the steamships which we subsidize. I have taken up a great deal of the time of the House on this matter, but my excuse is that it is one of the most important subjects the government has to deal with. I know that the farmers of Canada are losing millions of dollars by reason of the lack of proper transportation facilities for their products in this country, as well as in crossing the Atlantic and in Europe. I urge upon the Minister of Agriculture the necessity for paying strict attention to this matter, not a year or two years hence, but at once, so that our increasing exports of perishable products may realize their full value in European markets. I know that this parliament is willing to

grant all necessary money for that purpose ; I know that this parliament has always been willing to vote money to secure the best means of transportation, but I regret that the minister has stopped half way, and that he has not gone further to make this system of transportation a complete success. I beg to move in amendment :—

That all the words after 'that' in the main question be left out, and the following substituted therefor:

Canada annually exports a large amount of farm products of which a considerable portion are of a perishable character. That the depreciation of value of such products during transit results in great loss to the farmers of Canada ; that the cold storage facilities provided under contract with the government should be thoroughly up-to-date and efficient, and should be such as to afford an adequate return for the subsidies granted.

Hon. SYDNEY FISHER (Minister of Agriculture). I have listened with the closest attention and with much interest to my hon. friend (Mr. Armstrong) and I have considered the proposal which he makes in this amendment. It is usual to regard an amendment to the motion to go into supply, as a motion of censure on the government, but having carefully weighed the terms of this amendment I cannot read into it any censure or want of confidence in the government, and believing that the assertions in that amendment are quite true I shall be glad to accept them. In this amendment my hon. friend says :—

Canada annually exports a large amount of farm products of which a considerable portion is of a perishable character.

That is undoubtedly and absolutely true :

That the depreciation of value of such products during transit results in great loss to the farming community.

Equally true :

That the cold storage facilities provided under contract with the government should be thoroughly up-to-date and efficient, and should be such as to afford an adequate return for the subsidies granted.

That is an expression of opinion in which I absolutely concur, so that I have no reason to ask the House to reject the motion. Let me compliment my hon. friend on an evident desire to study the question carefully, but I must at the same time say that he is evidently neither very familiar with the facts nor with the desires and necessities of the trade. He has fallen into some few errors, and I shall endeavour to point out to him a considerable number of facts which do not coincide with the views he has advanced. First of all, the hon. gentleman has unfortunately mixed up the temperatures and the management of cold storage and cooled-air storage. The temperatures in these two systems on our steamships are decidedly different and must be different, and in dealing with them very careful notice has to be taken as to whether the temperature spoken of is the temperature of the cold storage chamber or the temperature of the cool air chamber.

Mr. R. L. BORDEN. Will the minister explain the difference ?

Mr. FISHER. The cold storage chambers which were first inaugurated a number of years ago, were for the purpose of carrying products which required decidedly low temperature and which did not require particular ventilation.

Mr. R. L. BORDEN. Which system was inaugurated first ?

Mr. FISHER. The cold storage, in 1897. The cool air chambers were started by us in 1901. The cold storage chambers are carefully insulated with mechanical apparatus for keeping the temperature down to any desired degree.

Mr. R. L. BORDEN. Would the minister be good enough to specify the special class of products which each system is intended for ?

Mr. FISHER. The cold storage chambers were especially designed for the carrying of butter, as well as, if the trade warranted it, meats, and particular tender fruits. It was thought at one time that eggs and even apples, especially the summer varieties could be advantageously carried in cold storage, but no practical advantage has been taken of that by the trade. For the carriage of cheese and the ordinary export apples, the cooled air was thought to be better than the insulated cold storage chambers.

Mr. SPROULE. What were the temperatures in each system ?

Mr. FISHER. The temperatures would vary according to the product. My hon. friend (Mr. Armstrong) unfortunately mixed up the temperatures of the cooled air with the cold storage system, which was decidedly misleading and which made his remarks to some extent incomprehensible. My hon. friend all through his remarks spoke as if the government had the power to regulate all this business on the steamships—as if we only had to give an order to a steamship company to do so and so, and it would be bound by contract or by law to carry that out.

Mr. ARMSTRONG. If the hon. minister will excuse me, the remarks I made along that line went to show that we had given to those steamship companies over $250,000 to put in cold storage; and the minister, when subsidizing them to that extent, should have compelled them to keep a certain temperature.

Mr. FISHER. I appreciate what my hon. friend said ; but the contracts were made for a term of years and for a specific purpose. When you make a contract it is not

possible for one of the parties to it to dictate absolutely all the terms of the contract.

Mr. ARMSTRONG. I ask the minister if it was not possible in that contract to compel the steamship companies to keep certain temperatures ?

Mr. FISHER. At the time the original contracts for cold storage were made, it was with the utmost difficulty that the department was able to secure any kind of a contract from the steamship companies. The original contracts for cold storage were entered into for the purpose of making an experiment in the Canadian trade—for the purpose of inducing the steamship companies to do for Canada what they had not found it to be their interest to do, what they doubted the expediency of doing, and what had never been done for the Canadian trade before. The consequence was that we had to hold out inducements to them to put in could storage plants. We had to promise to pay half the cost of the installation of the cold storage plant, which we did. The contract covered a term of three years, and during those three years we bound the companies to perform certain services. When the contract expired, the steamship companies were absolutely free to do as they liked—either to take out the cold storage plants, to charge extra for the space, or anything else. The same style of contract was entered into later for the cooled-air storage, except that in that case I think the contract was made for two years instead of three. Again the steamship companies did not believe it to be in their interest to provide these cooled-air chambers and cooled-air ventilation, and the trade did not demand them. Therefore we had to induce the companies to put them in. It was with the greatest difficulty that we could get two or three companies to take up the question and put in the machinery and plant necessary, and we had to make a better arrangement for them than we had originally done in regard to the cold storage chambers, because they were still more reluctant to enter into that agreement than they were in the original case. We did, however, succeed in doing it, and the result of getting a few steamship companies to do it under these terms and conditions, has been that to-day nearly all the steamship companies trading to Canadian ports are provided with either the cold storage or the cooled-air storage, and they have been put in without any contract or subvention from the government. Once the contracts had expired, we had no power to dictate to the companies as to what arrangements they should make in regard to the temperature or the accommodation they should provide.

Mr. SPROULE. If the minister is giving a subsidy to these steamship companies, can he not lay down the terms on which he gives it ?

Mr. FISHER.

Mr. FISHER. Certainly, and I made the contracts in the terms in which they are, after a great deal of negotiation and a great deal of difficulty. I was not able to succeed in making any better terms than I did.

Mr. A. A. McLEAN. Are there any companies now receiving subsidies from the government ?

Mr. FISHER. Not one.

Mr. INGRAM. In the contract made, the hon. gentleman does not control the cold storage.

Mr. FISHER. By the original contracts cold storage of a certain temperature was required to be available—not over 30 degrees Fahrenheit for butter and from 34 to 38 degrees for cheese and fruit.

Mr. INGRAM. Suppose the steamship companies violated that, what then ?

Mr. FISHER. They would violate their contract.

Mr. A. A. McLEAN. Is there not in all these contracts a provision that the company shall not be responsible for any loss on account of the cold storage?

Mr. FISHER. My hon. friend knows enough about shipping to know that that clause is in every charter-party.

Mr. A. A. McLEAN. But when a company gets a subsidy from the government, that provision should be eliminated. There are many clauses in the charter-parties of companies subsidized by the government that should not be there.

Mr. FISHER. All I can say is that if I had undertaken to eliminate that clause, I could not have made the contract. No steamship company would have made a contract on any such terms.

Mr. INGRAM. The contracts are practically useless as they are.

Mr. FISHER. Oh, no. They have accomplished their purpose, and the result is that to-day the steamships coming to Canada have cold storage, and before these contracts were entered into there was not a single steamer with cold storage coming to Canadian ports. I think I may say without boasting that our shippers have vessels for cold storage superior to the cold storage vessels sailing to any other ports in the world. With regard to the contracts my hon. friend ignored entirely the fact that they have expired. He spoke all through as though these vessels were to-day under contract and the contracts still in force. The hon. gentleman had no intention of misleading, but unfortunately, from the loose way in which he dealt with these questions, the impression he created was that he was speaking of hard and fast existing contracts.

Mr. A. A. McLEAN. A large amount has been voted for subsidies to steamers. Is there any provision made for cold storage in these steamers ?

Mr. FISHER. I am speaking of contracts for the installation of cold storage made by my department, and not of the subsidies given by the Department of Trade and Commerce for other services. The Department of Trade and Commerce gives subsidies to a number of lines, and the contracts contain a provision for cold storage facilities. I have not the form of contract under my hand, but I believe the contracts call for cold storage facilities of a suitable character. My remarks do not apply to those contracts at all, but to the contracts which were made by my department for the installation of cold storage facilities on the steamship lines.

Mr. ARMSTRONG. Have all the contracts expired ?

Mr. FISHER. Yes ; some time ago.

Mr. ARMSTRONG. Had the hon. minister control of the temperatures when they were in existence ? Because, if he will look at the thermograph returns, he will see that butter was carried at an altogether higher temperature than 30.

Mr. FISHER. Not infrequently perhaps the temperatures are about 30. At the same time the purpose desired was secured, namely, that we should have facilities here for the carriage of butter to England in cold storage at temperatures which would not injure the butter and enable it to be laid down in a satisfactory condition. As regards the cool air chambers for the carriage of cheese and apples especially, I think the same object was attained. My hon. friend spoke a little recklessly with regard to the temperature, but perhaps he is not so familiar with the subject as are men like my hon. friend from North Perth (Mr. Maclaren). He speaks about 10 degrees as the ideal temperature for the carriage of butter. Well, 10 degrees may be a very good temperature for the holding of butter when it is to be held for years or a very long time in cold storage. It does not hurt the butter, but you need not keep butter in 10 degrees when crossing the Atlantic when it is to be delivered for immediate use.

Mr. ARMSTRONG. Is it not the better for it ?

Mr. FISHER. I do not think it is any better than it would be at 30 or 32.

Mr. ARMSTRONG. Will it not arrive in better condition ?

Mr. FISHER. No.

Mr. ARMSTRONG. What about butter carried at 35 degrees ?

Mr. FISHER. I do not believe it was in the slightest degree hurt, but at the same time I would prefer that the temperature should not be above 32. But in all these products, I do not pretend that we have been able—I doubt if anybody would have been —to absolutely hold down the temperature to a certain degree. I have examined the thermograph records, and was rather surprised at the general uniformity of the temperature in the chambers for the purpose for which they were intended. I do not want cheese to be carried at the same temperature as butter, or fruit to be carried at the same temperature. My hon. friend perhaps has been a little misled by not taking into account what was carried in the particular chamber.

Mr. INGRAM. Take a shipper who pays additional for cold storage privileges on a vessel going to the old country, suppose the proper cold storage accommodation is not provided and his products become injured, he has no recourse against the steamship company or the government according to the contract.

Mr. FISHER. My contract does not protect him, but the ordinary law of the land does.

Mr. INGRAM. But the clause in the contract reads : Neither the government nor the ship-owners shall be responsible for the condition of the cargo in cold storage from any cause whatever. There is, therefore, no redress for the shipper. What is the good of a contract like that ?

Mr. FISHER. That is the contract between the ship-owner and the government, not between the ship-owner and the shipper. The shipper has the same recourse in law as he would have in any other case of damage to goods in transit.

Mr. A. A. McLEAN. But the government takes away all the rights of the shipper.

Mr. FISHER. No ; the government has no control over the rights of the shipper.

Mr. A. F. MACLAREN (North Perth). If the shipper wanted to send a man of his own to look after his goods in cold storage, as the Armours and the Swifts do, would he be allowed to do it ?

Mr. FISHER. He could if he liked. The government does not interfere in that at all. The shipper can send one man or a dozen men if he chooses.

Mr. INGRAM. The government subsidizes these steamers to provide cold storage, and they do not provide it, or they provide it at prices which makes it prohibitive, and the minister tells us that the government have no control.

Mr. FISHER. If the company breaks the contract, the government need not pay the contract price.

Mr. A. F. MACLAREN. Would the steamship company allow a shipper to send some one to take charge of his goods and look after the cold storage chamber on board the steamers and see that the temperature is raised or lowered, as the conditions may require ?

Mr. FISHER. There has been no arrangement to that effect. That has never been suggested to me, and I have not undertaken to do it. Nor do I think it is necessary. The shippers have the right to sue the company for damages or send their goods in other ships which have a better record. One of the objects we have always had in view has been to try and show the people how their goods were being handled. We have been trying, by giving information and investigating and finding out the condition of affairs and dealing with these people in a friendly manner, to improve the facilities ; and I venture to think we have been very successful in making great improvements. If we had undertaken to coerce and antagonize the various interests, I do not believe we would have made as much progress as we have. As a matter of fact, in consequence of the policy of the department in dealing with these companies in the manner I have described, great improvements, as I have shown, have been brought about. On the whole, I think that is the proper policy. Of course, parliament has the right to pass laws to coerce the steamship companies, to compel them to do certain things under certain penalties. But I have not asked parliament to pass such laws, because I did not think it was wise. I may have been wrong. The hon. gentleman (Mr. Armstrong) seems to think I have been wrong. I can only say that our opinions do not agree. I think that the policy that I have followed has been a better one in the interests of all concerned, including the producers of perishable products, than the policy of coercion would have been.

Mr. SPROULE. Was not the contrary policy followed in the case of the shipping of cattle? We made certain regulations which steamship companies were obliged to carry out. And now the minister tells us that this is not the policy that should be carried out with regard to perishable products.

Mr. FISHER. It is true that that policy has been carried out in regard to cattle. Nevertheless I do not think it would be well to do the same in regard to perishable products at the present time. The time may arrive when, the vast majority doing right and only the few doing wrong, it will be well for the constituted authority to step in and coerce the few into the doing right. Up to this time, in my opinion, the policy I have followed is the proper one and it has accomplished the object sought better than a coercive policy would have done. Of course in that opinion I may be wrong. The House and the people generally may think that I am wrong. But, so far they have not shown me that I am wrong.

Now, I will turn to my hon. friend from East Lambton (Mr. Armstrong). I must apologize to him for having so long diverged from the course of his argument. But he has seen that I have been interrupted and so have been led to follow other lines. He spoke of the temperature on the deck of the steamer and said that the temperature in the hold should always bear some comparison to the temperature on the deck. I do not think that such a comparison would be of any value. The temperature on deck is very variable. Those who know more about ships than I do tell me that the temperature as indicated by the thermograph on one place on the deck, might be no indication of the general temperature of the air about the ship, and if, used for comparison might be a very misleading record. The thermograph records that my hon. friend quoted were for September and October, 1904. That is pretty late in the season. It is not at all unlikely that the temperature on deck would be lower than in a hold were a large quantity of apples were stowed. A higher temperature in the hold would not at all prove that the cool air arragements on the ship are ineffective or that the goods were not being properly carried. The ripening process in apples is a very heating process ; and the air in a hold with thousands of barrels of apples would be heated, and even superheated, and it would be very difficult even if cold air was forced through them to keep that temperature down.

Mr. ARMSTRONG. Then, would it not be wise to put in a direct expansion system, instead of the cold air system? If your cool air system will not keep the temperature down, why not put in a system that will keep it down?

Mr. FISHER. I did not say that the cool air system did not keep the temperature down. It did—it kept it down to a satisfactory point for the safe carriage of the apples. A temperature of 60 degrees is perfectly suitable for carrying apples.

Mr. ARMSTRONG. Oh, oh.

Mr. FISHER. Well, I will not dispute that point—I merely state my opinion. But I may mention also that we have had no complaints from shippers of apples relating to the temperature to any extent. We have had some complaint of the condition in which apples arrive on the other side. We have tried to find out the reason for this, and we have found that in some cases it was due to the fact that the fruit was over-ripe when put into the barrels or when shipped from Montreal or Halifax. When fruit is shipped over-ripe, the heating is

very great, and no amount of cold air will make the fruit good or keep it good entirely. Of course, I speak in general terms. Our investigations have shown that in order to understand why fruit does not reach the other side in perfect condition, you must know its condition of ripeness when packed. We have noted circumstances like these frequently: Two lots of fruit, sent from the same neighbourhood in Ontario, carried to Montreal under the same conditions and shipped in the same compartment of the vessel, with the same conditions, and one lot would arrive in perfect condition and the other in so unsatisfactory a state that it would hardly pay the freight. One had been picked and packed by one neighbour at the proper condition of ripeness, while the other was over-ripe when shipped. My hon. friends opposite seem to think we have not done enough in the way of providing cold storage and cooled air. As a matter of fact, the cold storage accommodation on ships going from Canadian ports have never been fully utilized. Our shippers have not taken advantage of the facilities which have been given them.

Mr. ARMSTRONG. Would they not utilize them if the goods were carried without extra cost ?

Mr. FISHER. I do not think so. At the same time, I do not see any reason why steamship companies should be required to give certain facilities which cost them money, unless they are allowed to charge for them. Of course, the country at large can pay the steamship companies enough to cover the charge, if it chooses to do so. But no country in the world provides extra-superior shipping facilities without charging for them. My hon. friend (Mr. Armstrong) has talked about the cold storage facilities of the United States. He is aware, perhaps, that the government of the United States has never done anything in regard to these facilities but everything has been done through the enterprise of the steamship companies and the shippers. It is done largely by contract between these parties, the shippers binding themselves to pay for the cold storage accommodation whether they use it or not.

Week in and week out California fruit shippers engage to pay for cold storage accommodation in dozens of ships that leave United States ports for Europe, whether they put fruit in them or not. They ship their fruit across and do their best to utilize the accommodation; but they pay for it whether they use it or not, and they pay much more for accommodation than Canadian shippers pay for the accommodation they get here. They bind themselves by contracts extending over the whole year to take so many feet of cold storage accommodation, and they pay a high price for it whether they use it or not. But neither the government of the United States nor the government of any particular state has ever done anything to encourage cold storage, as the government of Canada is doing for Canadian shippers. But in this country Canadian shippers have not availed themselves of cold storage facilities to the full extent that such facilities are provided. They do not seem to realize the advantages, or they do not know the business sufficiently well to undertake it. I do not know the reasons. We have published the advantages of the system, we have shown where, in trial shipments, advantages have accrued. I may say this however, and I think I am within the mark, that practically all the butter that is shipped from Canada to England to-day goes forward in cold storage, and shippers of butter use all the cold storage they require. But apparently there is not enough butter going forward at present to utilize all the cold storage that is available for Canadian shippers.

Mr. LALOR. Do the apple shippers use cold storage to any extent ?

Mr. FISHER. No, they do not need to, they use cool storage to a certain extent, though not to the extent it is available. The only cases where apple shippers require cold storage, are when the fruit is sent forward in small boxes, and these are not sent forward in great quantities. But I do not think that cold storage in Canada is entirely utilized. Of course I do not mean to say that occasionally a ship does not go out with the cold storage space occupied; but much more frequently, probably three times against one, it occurs that the ship has not got sufficient produce to fill her cold storage accommodation. That is one of the chief reasons why the steamship companies require assistance to start the system, before they are willing to undertake it in the beginning. But after it is initiated, and after it has shown to be successful, and people begin to demand cold storage facilities, then the ship-owners find that they have to put in cold storage.

Mr. INGRAM. The hon. gentleman speaks of 60 degrees for apples, is not that high ?

Mr. FISHER. I think in a cooled air chamber 60 would not hurt apples at all if they were not over-ripe ; if they were over-ripe I think 60 would be too high.

Mr. ARMSTRONG. Does the minister think that shippers of apples ought to pay 36 cents per barrel for a temperature of 60, when the temperature in the ordinary storange is little more than 60 ?

Mr. FISHER. That is a matter for the judgment of the shipper. There may be many cases when it would be to his advantage, he has to use his own judgment as to that.

Mr. LALOR. What effect would it have on apples to ship them across in cold sto-

rage and then take them out of cold storage on their arrival in England ?

Mr. FISHER. That would depend upon the temperature, if the temperature was low it would probably hurt them.

Mr. LALOR. You would expect that they would not keep so well after being taken out of cold storage.

Mr. FISHER. Some people say they do not. I am not prepared to state definitely. I want to say, however, that there is enough cold storage and cooled air accommodation on the ships going out from Canada to-day for all the demands of the trade. I think the trade ought to use it more largely. I think it would be to the advantage of the trade to use it more largely, and those who do use it reap an advantage from it. But for the last two or three years particularly there has been more accommodation of cold storage, and cooled air both, than the demands of the trade require. Therefore there is no reason at all to-day why we should undertake to spend more money to increase cold storage or cooled air accommodation on the ships.

Mr. ARMSTRONG. Does the minister not think that shippers would utilize cold storage facilities to a much greater extent than they do if the temperatures were kept a great deal lower than they are ?

Mr. FISHER. No, I do not think so. I think the temperatures are kept at about the point the trade desires, and that the needs of the business require. I have had no representations made to me by the trade respecting unsatisfactory temperatures. There has been a little difficulty in Nova Scotia in regard to carriage of fruit, not in the cooled storage, but in the ordinary hold, and at one time when people attempted to send forward fruit in cold storage, there were complaints about the sweating of the fruit. In some cases there were also complaints about the fruit being hurt by freezing, which was caused probably by using the cold storage too much. But the complaints that have reached me have been almost entirely in regard to the handling of goods in the ordinary holds of ships, more especially with regard to apples. Apples and cheese sometimes are put in places which are not properly ventilated, and where they sweat and are somewhat damaged.

Mr. INGRAM. Are there any complaints at the port of landing ?

Mr. FISHER. Our fruit when it arrives at the port of landing in England is frequently, what is called, wasted and slack. That is one of the greatest injuries to our fruit market in England. But I have been putting forth every effort to investigate this matter, and to find where the fault lies. We have not yet been able to avoid this difficulty entirely, but I say frankly that if there is anything wrong in this system I am the most anxious of any one to find out what it is. We have our agents in England and at shipping points here for the express purpose of watching these things, of making tests, and of seeing how the products of Canada are handled when they are put into the ship, how they are cared for, and how they arrive on the other side. We get reports constantly, and up to the present time I venture to think that the reports indicate that the temperature, either in cold storage or in the cooled air, is not responsible at all for the unsatisfactory condition of such of our products as are found to be injured when landed on the other side. If I thought there was any fault in the cold storage or cooled air system, I would ask parliament for money to make a change, nor would I hesitate a minute in asking for all that was required. But in my judgment the temperature on steamers crossing the Atlantic, in nine cases out of ten, has had nothing whatever to do in causing injury to our goods arriving on the other side.

Mr. ARMSTRONG. How do the shippers know of the different temperatures at which their goods are being carried across ?

Mr. FISHER. The thermograph records are posted on the Board of Trade at Montreal, as soon as they are received. The shipper knows about ten days afterwards the thermograph record of the chamber in which he sends his goods.

Mr. ARMSTRONG. That is only the shippers in Montreal.

Mr. FISHER. The shippers in Montreal are nine-tenths of the shippers of the country. Ninety-nine one hundredths of the dairy shipments go through the hands of the Butter and Cheese Association of Montreal.

Mr. INGRAM. I understood that the ex-member for Wentworth (Mr. Smith) complained about the correctness of the thermograph records ?

Mr. FISHER. I never understood that. We have had no cavil on that score and we have only had two or three cases in four or five years, during which we have handled from 50 to 100 thermographs, of machines getting out of order.

Mr. INGRAM. I understood that Mr. Smith complained because they were not placed on the deck.

Mr. FISHER. I referred to that a little while ago and said it had no bearing on the case. The placing on the deck would be of no use.

Mr. INGRAM. He contended otherwise.

Mr. FISHER. I know he did, and I referred to that a few moments ago.

Mr. A. A. McLEAN. Have any claims been made on the government for loss sustained by shippers in shipping goods across the Atlantic on steamers equipped with cold storage and subsidized by the government ?

Mr. FISHER. I never heard of any such claim. Stop ! I am not certain that I have not a letter from some person in Prince Edward Island who shipped some poultry two years ago in a boat subsidized by the Department of Trade and Commerce. I think the ship did not go and the poultry meat was spoiled in some way, but this is the only thing of the kind I ever knew of.

Mr. A. A. McLEAN. Is it not a fact that the ship did go and the shipment was all thrown overboard at Liverpool ? Not only did that happen in this case but in many other shipments of dead meat.

Mr. FISHER. I never heard of any except poultry. My hon. friend (Mr. Armstrong) spoke of New Zealand as a country which is a model for us. When the regulations which to-day are in force in regard to dairy products, cold storage, &c., were made in New Zealand, there was practically no dairy trade in that country at all. The trade was inaugurated there under government patronage and supervision ; they started ab initio, they had a clear table to work on and were able to lay down certain rules and conditions under which and by reason of which the trade was built up. That was not the condition in Canada. There had been a dairy trade of a large character in Canada long before any question of government supervision arose. The dairy and cheese trade of Canada was built up under the enterprise of private individuals. The transportation and handling of these goods was established on pretty definite lines before the government came in and we had therefore to take existing circumstances and conditions, to work according to them, and without violating them, and we were obliged to do or not to do a good many things which the New Zealand government did not have to concern itself with because it was calling into existence a trade which was not existent before and which was brought about entirely grace to and in accordance with the rules and regulations and movement of the government of that colony. My hon. friend speaks of the regulations on the steamers. These are regulations made by the steamship company. The government does not impose these regulations. The steamship companies make these regulations in regard to the butter trade because the butter trade is not as large as the meat trade and as the steamers carry large quantities of frozen mutton, which is the great product of New Zealand, the butter trade has to accord with the demands of that trade and so these regulations are made. The steamship companies in Canada are free to make such regulations as a matter of agreement between themselves and the shippers. The government are not able to dictate and the first to resent dictation would be the steamship companies and the shippers.

Mr. INGRAM. Do the temperatures vary in the cold storage chambers ?

Mr. FISHER. I have no doubt they would from time to time. In the cooled-air chambers it will be a little more difficult to maintain uniformity than in cold storage chambers, because the cold storage chambers are not so large and are more completely insulated and more under control. The cooled-air chambers are more difficult to control and would not have an absolutely uniform temperature. For the products that go forward in cool air chambers, absolute uniformity of temperature is not so necessary as for those that go in cold storage.

Mr. ARMSTRONG. New Zealand is able to come next to Denmark in the matter of butter in the British markets. Its butter brings a much higher price than ours in Great Britain. Is that not largely due to the cold storage system ?

Mr. FISHER. I think it is due to two things, largely probably to the very close supervision and inspection in connection with that article, owing perhaps to the creating of the industry under government inspection in New Zealand ; and no doubt partly to the low temperature at which the butter is carried from New Zealand to England. It is a very much smaller trade than our trade. If I were a dictator, and could lay down absolute lines and conditions under which our butter should be manufactured, handled and sent over to England, according to the best scientific opinions, I have no doubt we could improve our butter trade. But perhaps unfortunately—no, I shall not say unfortunately, I think it is fortunate I am not a dictator, and that the people in Canada manage their own affairs for themselves and will not be altogether bound down by rules and regulations, and consequently I have to take them as they are and the efforts of my department have to be regulated to a certain extent by the views and ideas of the people for whom I am working.

Mr. ARMSTRONG. What encouragement is there for the people who are trying to keep their temperatures down and their butter in proper condition ?

Mr. FISHER. They are reaping the advantage of it. The people who do not try are losing money every day. We are trying to impress that on them and to get them to do as well as the others. We are gradually, more slowly than I would like or than the people would like, making improvement all the time steadily and decidedly.

My hon. friend spoke of the butter trade falling off. Of course, he is not familiar

with these things, but if the butter trade fell off last year it was owing to the large amount of cheese that was made and the shortage of pasture. But this year it is mounting away up again, and up to the present date, as compared with last year, we have sent a great deal more butter and are getting a higher price for it than ever before in the history of Canada.

Mr. INGRAM. Is it not a fact that the butter producers ship their butter in proper order, but they complain of the usage it receives at the port of landing ?

Mr. FISHER. Yes.

Mr. INGRAM. Therefore, the butter producers would not be to blame ; the difficulty is at the other end.

Mr. FISHER. Quite so. At some English ports there are good facilities and the butter is immediately put in cold storage, but at others, Liverpool, for instance, where a considerable amount of our butter goes, there are great complaints as to the butter being allowed to lie on the wharf. We have no control over that. I cannot dictate to the dock companies at Liverpool, but I have made urgent representations to them, and I have a letter here in which my officer went so far as to say that if improvement did not take place we would have to warn the Canadian shippers not to send butter to Liverpool.

Mr. INGRAM. That is no fault of the shippers.

Mr. FISHER. I am not blaming the shippers. As a rule, they are doing fairly well, although there are some complaints of carelessness that the butter is frequently carried from the cold storage factory to the railway cars in an open wagon exposed to the sun. We made tests last year which showed that the butter came out of the cars at Montreal at a lower temperature than that at which it was put into the cars. The iced cars are not made to cool butter, but to keep it cool, so that the shippers in such cases were imposing on the service of the iced cars. I did not hesitate to say at the dairy meetings last winter that if an improvement did not take place in that respect I might have to take some more stringent means of inspection, and perhaps to refuse to allow butter being put into the cars if it was not at a proper temperature. I do not want to go to that extreme, but if an improvement does not take place I may be obliged to.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. FISHER. Mr. Speaker, at the moment you left the chair I was closing my remarks in regard to the matter of carriage in cold storage from Canada to Great Britain. But perhaps it will be interesting to the House and to hon. gentlemen opposite to know somewhat of the opinions which the people who handle our goods in Great Britain have of the work we have been doing. Without going into details at all, I would like to read a few words from some letters that have been received at the department. This is from Nickson & Company of Liverpool, one of the largest handlers of Canadian produce :

In reference to your inquiry, it gives my directors very great pleasure to state that it must be apparent to all interested in the Canadian trade that the Department of Agriculture is doing the most excellent work, and one which is bearing fruit, and is highly appreciated by all connected with the development of trade between Canada and this country. The action of your department in maintaining inspectors at British ports for the purpose of reporting to the shippers and steamship people the manner in which Canadian products, more or less perishable, are stowed on discharge, and the condition of the goods on arrival, is having a most marked and beneficial effect on the development of the Canadian trade.

I have another from James Lindsay & Son, fruit importers, of Edinburgh. My hon. friend has talked a good deal about fruit. The letter first deals with fruit inspection, and then says:

We find that inspection is also carried out as to the carrying of goods while on board steamer. Ventilation has been examined and inquired into, also the temperature throughout the journey generally taken, and if anything unusual has transpired it is generally discussed between the inspector and the receivers, so as to improve any defect that may have taken place, or that exists.

Such inspections and reports, we are certain, will tend greatly to the benefit and improvement of the trade between Canada and the mother country.

A letter from Simons, Shuttleworth & Company, European receivers of American fruits, says :

We certainly think there has been an improvement in the handling of fruit and other produce since your government has maintained inspectors at this port, and we would be very sorry to see them withdrawn. It has also been beneficial to have you report the manner in which the apples have been turning out, not only as opened on the dock, but in the sale room, and with shippers knowing that they are being watched in this manner, we feel that they are using more care in the selecting and packing of the fruit. We of course can only speak regarding apples, as that is the only Canadian product that we handle to any extent.

We cannot at the moment state where we can see any chance of improving the work that you have been doing since you came to Liverpool, and in our opinion you have looked after the interests of Canadian shippers in splendid shape.

Now, I will leave that subject for a moment to refer to some remarks which the hon. member for East Lambton made in regard to the cool curing rooms and the

cool curing of cheese, and I regret to say that he entered into a realm in which he is not familiar either with the trade, the business or the facts. He quoted certain results of certain experiments which have been conducted in the United States as to the cool curing of cheese, and he hazarded the opinion that cheese ought to be cured at a lower temperature than freezing.

Mr. ARMSTRONG. Not necessarily ought to be. It would be all the better if it were.

Mr. FISHER. I was so astonished to hear the hon. gentleman make the statement that I asked him if he meant to say it ought to be, and he said yes. Now, it is a well known fact that if cheese is put into a temperature lower than freezing, it is seriously injured.

Mr. ARMSTRONG. I was quoting from a test made in the United States. They put the cheese in a temperature as low as 15, and they distinctly said that they had splendid results from that temperature.

Mr. FISHER. Yes, and it took them two years to get the results. If cheese is kept at a very low temperature, it matures very slowly. In the course of months or years it will mature better; but our cheese dealers do not want to hold their cheese for two years to get the results or to get their pay. The hon. gentleman has again shown that he is talking about things which he has not studied and which he knows very little about. He has fallen into the trap of stating things incompletely and making a statement which is absurd on the face of it to any one who knows anything of the business at all.

Mr. ARMSTRONG. I cannot help thinking that the minister has gone wide of the mark. He has referred a dozen times to my lack of knowledge in this business. I wish to tell him that I have been directly interested in cold storage and in several different plants. I purchased one of them myself and oversaw the putting of it up, and I should know a little of what I am talking about. I spent twenty-three years of my life on the farm, and I have followed up the farming industry since I left the farm, and I am proud of it. When the hon. gentleman says that I am talking about something I know nothing about, I wish to refute that remark. I would ask him what harm it does cheese to go below freezing; can he tell us that?

Mr. FISHER. I can tell the hon. gentleman very easily. It makes the cheese crumbly, and it takes six, eight or ten months for it to get over that condition. If while in that condition it were brought to market, it would bring from one to two cents per pound less than Canadian cheese which had never touched the freezing mark.

Mr. ARMSTRONG. Has the hon. gentleman made tests of that?

Mr. FISHER. The very United States tests which the hon. gentleman quoted show that, if he had followed them out to their conclusion. The hon. gentleman says that our cool curing rooms ought to be maintained at a lower temperature. I want to tell him that the temperature of our cool curing rooms has been thoroughly experimented on and worked out and discussed by the best cheese experts in Canada, and I venture to say that there are no cheese experts of greater capacity and knowledge on the face of the earth. Our Canadian cheese trade stands at the head of the cheese trade of the world. The cool curing temperatures of from 55 to 60 are the deliberate choice of the best cheese makers of Canada. The chambers had been kept intentionally at that temperature for the purpose of obtaining the best results. True, for the purposes of investigation, in order to see if anything better could be found, cheese has been cured in the United States at all sorts of temperatures, but the game has not been worth the candle. The expense has not been repaid, and the time required to ripen and cure that cheese has been found so long that it was detrimental to the profits of the cheese makers and those who handle the cheese. As a matter of fact, the temperatures we have chosen have been found the most profitable, advantageous and practicable, and have worked out eminently successfully. I am giving this, not as my own opinion, because I do not profess to be an expert, but I have in the employ of the department men who are experts and have to-day a reputation, not only in Canada and the continent of America, but all over the world where English is spoken or the literature of agriculture in the continent of America penetrates. Those men have worked this thing out, not for my benefit or at my individual direction, but for the benefit of the cheese makers and the trade of Canada, and the people of Canada have reaped the reward of their efforts.

My hon. friend said at Brockville cheese curing was held at 74.

Mr. ARMSTRONG. For 24 days your report says.

Mr. FISHER. That is quite likely, but that was in the test room and not in the room in which we maintain the temperature we require. It was in the test room in which we keep the temperature as near as possible to what it is, under ordinary conditions, and in the ordinary factories in the country. We do this in order to show the difference between cheese cured at that temperature and at the proper temperature in the cool curing room, where we control and regulate the temperature. My hon. friend took the temperature in the test room and quoted that as the temperature of the cool curing room.

Mr. ARMSTRONG. Does the report say it is the test room ?

Mr. FISHER. I do not know, but as a matter of fact that temperature never existed in the cool curing room at Brockville. If there is anything in the report to indicate a temperature of that kind, it was in the test room. The temperature in the cool curing rooms at Brockville and elsewhere is never over 60 at any time during the whole season, and the temperature we desire to maintain is from 55 to 60, which is the most advantageous, profitable and successful in which to cool cheese, according to the opinion of experts.

Mr. hon. friend said we had a toy machine in the cool curing room at Brockville and another one at Cowansville, and had thrown them aside and adopted the cool air ducts or draughts. Well, when we established the four cool curing chambers we did, we wanted to try experiments and fitted up two of them with mechanical cold storage and two with ice cold storage. The methods of procuring cool air are different. In the one case, it is created by a mechanical appliance and in the other by ice, but the results in the chamber where the cheese is cured are practically exactly the same. What we wanted to find out however was which method was the most economical. After three seasons of careful testing, we found that the ice was the cheaper. Therefore we discarded the mechanical apparatus and replaced it with an ice arrangement. We did this not because the latter was better, not because people could not use the mechanical apparatus if they wished, but because the ice was cheaper ; and we to-day advise people, who wish to make good cool curing chambers at their cheese factories, to use ice and not the mechanical appliance.

The hon. gentleman asked whether there was any arrangement by which the mechanical appliances on the ship could be operated in the ports. They are operated in the ports and are not dependent at all on the engines which drive the ships. The steam is supplied by the boilers of the ships and a separate engine does the work.

He also said something about new ideas. Well, I must say that I am rather a little too prone to take up new ideas and try everything rather than be contented with the old thing. There is an old adage that says you must try and stand by what is best, and I have always been imbued with that idea and fear I am rather open to the accusation of trying too many things rather than not enough. But I must say that I think it as well to try a thing very thoroughly and see whether it works all right rather than launch into experiments before seeing clearly that what we are doing is wrong. I may be wrong in my judgment, I may be a little partial in my opinion, but I must confess that I am of the opinion that what we have been doing with regard to cold storage in Canada has been successful. It first of all brought about a condition of affairs which never existed before in our Canadian export trade of perishable products, by providing facilities which the people never previously had and which they have to-day in a larger measure than they are prepared to utilize.

And in the third place, it has resulted in the carriage of our products to England, which is our chief market, in a condition which gives those products a better reputation, enables them to command a better price and creates for them a greater demand than ever before. As a result not only of the cold storage but of the system of inspection and supervision which has been established, our products are landed to-day in the English market in a condition which is the envy of our rivals in that market. I have not them under my hand at the moment, but I can give the sense of a number of consular reports sent to Washington by the consular agents of the United States. These reports inform that government that they had better take example by the system of the Canadian Department of Agriculture ; that if they would follow that example they would introduce a fruit inspection Act, they would have agents watching their products arriving in the English market; they would give encouragement to cold storage facilities for the carriage of their butter and other perishable products ; and by these means would give their exporters a better chance in the English market, against our competition, than they have now. It is rather a new thing for this country to find the Americans pointing to us as a model, and to find their officers warning their people that the Canadians are beating them in the market to which we both send our produce. I am proud to say that in the last few years Canada has obtained that position, and in the English market, where we meet the Americans in open competition, they acknowledge that our arrangements and our facilities are a model which they ought to follow. And the sales of our products in England to-day show that those products occupy a position in the English market which American products have not attained.

Under these circumstances, I may fairly accept the motion. That motion says, that Canada exports a large quantity of agricultural products. It is true. The motion says, that depreciation in value of such products will result in loss to the farming community. It is true. The motion says, that the facilities provided should be adequate and should be commensurate with the assistance given. It is true. This motion is an endorsation of what has been done by this government and my department ; it is a statement of facts which the people of Canada can accept as being true. I am glad it comes from the other side of the House ; I am glad that these hon. gentlemen ack-

nowledge and appreciate the condition of affairs. I accept this motion.

When this matter came up this afternoon, the leader of the opposition (Mr. R. L. Borden) said in a jocular way that it was a rather cool day to talk about cold storage. I can understand that the opposition might feel cold, that the chills would be running up and down their back ; and they would feel all the worse when they saw introduced into the House this afternoon the hon. Minister of Public Works (Mr. Hyman) and the hon. member for North Oxford (Mr. Smith) who were elected in spite of the frantic efforts of hon. gentlemen opposite to defeat this government. They may well feel chilly.

Mr. INGRAM. The hon. gentleman (Mr. Fisher) means a roast.

Mr. FISHER. No, I am too kind-hearted to roast hon. gentlemen opposite. It was their leader who, feeling chilly, expressed himself in a way with which, no doubt, hon. gentlemen opposite will sympathize.

Mr. BLAIN. Before the hon. minister sits down, may I ask a question ? He has stated the temperature for butter crossing the Atlantic at 32 degrees, and for apples 60 degrees. Would he give the temperature required for cheese exported ?

Mr. INGRAM. And would the hon. gentleman (Mr. Fisher) at the same time give his own.

Mr. FISHER. My own temperature is at 'comfortable.' I have no reason to worry about that, or even about the temperature of hon. gentlemen opposite, because the more they fume and rail against us the stronger we are. The hon. member for Peel (Mr. Blain) asks as to the temperature for the exports of cheese. I think that cheese which never goes above 60 degrees will not be hurt.

Mr. R. N. WALSH (Huntingdon). There is a matter in connection with the transportation question which, although it may not directly relate to cold storage, should be brought before the House at this time. I refer to the question of the weighing of butter and cheese at the port of Montreal. This is a matter of great urgency in the district from which I come. I have the honour to represent a county which depends very much on the dairy industry, and to that county this matter becomes more urgent as time goes on. For years our county has been a pioneer in dairying; and I think the Minister of Agriculture (Mr. Fisher) will bear me out when I say that that dairy industry with us is as well developed as anywhere else in Canada. For many years, with us, the manufacture was carried on by a combination of factories operated by individuals. But we had failure after failure, the last one within the last two years. As a matter of self-protection, the farmers were forced to buy these factories and operate them themselves. Before the farmers took over the business in this way the question of weighing was not so commonly brought to their notice, because the goods were disposed of by the people who carried on the factories. But now they realize how much they are losing through the weighing. Of course, it is impossible for each factory to send a man to Montreal to sell its goods every week; and so a cheese board was established in the town. I may say here that we had the direct opposition of the buyers to the establishment of that board. I am glad to say that the board has been a success.

Many hon. members may know how cheese and butter are weighed in the port of Montreal, but I may explain briefly for the benefit of those who are not familiar with the subject. In the first place consider who does the weighing. The weighman is a Mr. McLeod who, according to the Minister of Agriculture, has no official status. Mr. McLeod is chosen by the butter and cheese association. He is supposed to be the arbiter between the buyer and the seller, but he gets his instructions from the buyer. Suppose that a lot of 50 cheese is sent in. Five of these are taken and weighed separately. The first, we will say, has been branded at the factory as weighing 84 pounds. When it is put on the scale at Montreal, the scale is set at 84¼ pounds, and if it does not bring that up, the farmers get credit for 83 pounds. Cheese No. 2 may turn out the same ; No. 3 may be O K; No. 4 and No. 5 may run 2 pounds above the weight. Then for the whole shipment 2 pounds for every five cheese is taken off. Now, this is not simply a local question. The matter has been before the House on several occasions. In the year 1901 the government appointed a commissioner, Mr. Parmelee, to investigate this question. He reported in 1903. I must admit that I am somewhat at a loss in regard to his report, because, it seems, it has not been thought sufficiently important to be printed. I sent a request to the department the other day for a copy of the report. I have here the answer, which states that there are only two copies extant, and they are both in use in the House of Commons. Not being able to secure a copy I have had to depend upon the 'Hansard' report of the debate on the question in this House. In the first place I would like to draw attention to the reason for which Mr. Parmelee was appointed. A number of questions were put on the order paper in regard to that, one asking whether a commissioner was appointed, and the answer was : Yes. The last question was : 'At whose request was the commissioner appointed ?' The Minister of Trade and Commerce replied :

> The commissioner was appointed in consequence of numerous complaints having reached the government *re* the weighing of butter and cheese.

Now, that was the reason Mr. Parmelee was appointed. He made his report in 1903, and I will read a few extracts from it. First he says :

There is no objection to the first paragraph of the rule——

That is rule No. 2.

—but there is to the second which reads :

Actual weights must be shown on certificate, but no gain shall be applied against losses in the average ; gains of two pounds and over shall be governed by rule 3. A further rule provides that not less than five packages of cheese nor more than ten per cent of each particular lot shall be weighed.

The effect of this I have stated before. He goes on :

Under the system of weighing in force and allowances insisted upon, it too often happens that at least one package in every lot is judged short weight. Therefore, all is cut accordingly. And it appears that frequently not sufficient care is taken to note the overs, it being claimed that the scales are set at the weight marked at the package, and if the beam goes up sharp it is too often registered as 'OK,' and no particular pains taken to note the amount of over weight. This practice is a source of great annoyance, and is looked upon by the factory men, to speak mildly, as fraudulent. This rule is insisted upon by the buyers for the purpose as they explain of avoiding cuts for short weight at the point in Europe to which they ship. This the undersigned looks upon as entirely another transaction for which the country maker should not be held responsible.

That is part of the finding of Mr. Parmelee, and his conclusion is this :

In conclusion, the undersigned has the honour to suggest that the Act, 28 Victoria, chapter 6, be so amended as to provide for the appointment of weighers of butter and cheese by His Excellency the Governor General in Council instead of permitting such appointments to be made as at present, by boards of trade.

Now, that is the finding of the commissioner. I find also the opinion of Mr. Publow, Dairy Commissioner of Ontario, who says he thinks that the government should appoint a weigher. Further than that, I will give some local experience in regard to this matter, as a sample case. Here is a letter which was written by the manager of one of the factories in reply to a letter from Ayer & Company :

Take our factory for example. In 1902 we shipped to our agent at Montreal (Gould's Cold Storage) 1,070 boxes of cheese and were cut 139 pounds. In 1903 we shipped to the same cold storage 1,357 boxes and were cut 534 pounds. In June, 1904, we sent in 220 boxes and were cut 176 pounds. In July, 1904, we sent in 206 and were cut 170 pounds. If a cheese weighs 85 pounds in factory, we mark it 84 pounds, and still we are cut in weight. We hold a certificate from the government inspector that our scales are correct.

That is only one of many samples I might give of what is happening. The excuse given for retaining this system was, in the first place, that the cheese would shrink. But I see at the meeting which was held in Montreal a few days ago they say nothing will be done, because the trouble is simply caused by the fact of their not putting on the proper weight, and there is no reason for making a change. Now, I think I can show that that is not entirely the case. There is a case in point. As I have said, Mr. Macleod was not the official weigher —Mr. Cameron was the official weigher of the Board of Trade. A consignment of cheese was sent in, and it was they asked that Mr. Cameron be allowed to weigh it, which request was refused. Another consignment was sent in which was weighed by Mr. Macleod, consisting of twenty packages containing 70 pounds each and twenty packages containing 30 pounds each. Mr. Macleod's certificate cut the 30-pound packages 1 pound each and the 70-pound packages 2 pounds each, in all 60 pounds, and a cheque was given for that amount. However, the factory man and the manager would not consent to it, and they went to Montreal to see the gentleman who had bought the cheese. After some talk he agreed that the butter should be weighed by himself on his own scales. The result was that every 30-pound package weighed O.K., while the 70-pound packages came so near the full weight that only 20 pounds were deducted from the whole lot. So the man who was supposed to stand between the farmer and the buyer proved to ask more than the buyer himself. Now, we think that is very unfair, and I think the Minister of Agriculture, who was so strong at this meeting in condemning the system of weighing, ought to make a change. We had also the question of grading butter and cheese, which was brought to the attention of the department. I wish to say here that we were very much indebted to the dairy commissioner for the action he took in regard to that ; he at once attended to the matter, and we have a new system of grading. However, the system of weighing still continues, and it is one that our farmers think a great hardship, and in regard to which I think I have every right in asking that the government take some steps towards appointing an official weigher. Consider all the work a farmer has to perform in order to produce and send to the factory a hundred pounds of milk, and then carry the product to the point of shipment ; and after all, as the government commissioner, Mr. Parmalee says, he is fraudulently deprived of a certain amount of his product. I think the farmers have every reason to complain. I do not wish this viewed as a motion of censure at all ; I want to know why it is that some effort is not made to place this business on an equitable basis. If it is a fact that cheese shrinks, would not a weigher appointed by the government be a safer man to ascertain how

much that shrinkage is ? I do not say that each cheese should be weighed separately, but if it is weighed separately, the gain should be given in the same way that the deductions are made. It makes no difference whether the farmer is short or over in weight, he is punished just the same under the present system. I think I am justified in asking the government for some expression of opinion as to whether they intend to do anything towards remedying this system, which we feel is a great hardship.

Mr. T. CHISHOLM (East Huron). Mr. Speaker, I desire to say a few words on this question of cold storage which is now only in its infancy. I am satisfied that we must pay more attention to this matter than we have paid in the past. It will I believe be extended and perfected to such an extent that in eight or ten years from now, when we look back, we will wonder how we got along with the appliances that we have at the present time. This question interests the farmers particularly, and I was very much pleased to-day to hear a suggestion from the minister that he was willing to take ideas from the other side of the House. The farm is, after all, the foundation of the prosperity of the country and anything that benefits the farmer tends to add to the prosperity and success of the whole community. We have an old saying that the farmer pays for all, which simply means that whatever benefits the farmer benefits every trade, every profession and every business in the country. The reason I think we will be compelled to give so much attention to this question is that there has been a change in the farming industry in this country during the last eight or ten years. I sympathize with the minister in that respect and understand his statement that in the older provinces of this country there has been a great change in the nature of the agricultural products during the time he has been in office. He has had a great deal to investigate and to consider and a great many difficulties to contend with. It has been found in the older provinces of the Dominion that it was impossible to compete with the western districts in the raising of grain, and the farmers were therefore compelled to go into the production of other products much more perishable and difficult to handle and this is where the system of cold storage comes in.

The statement that was made to-day in regard to the advantage enjoyed by New Zealand butter in the British market, is capable of explanation. It is true that New Zealand butter commands a better price in the old country than the Canadian butter which it meets, but we must remember that when we have winter in Canada they have summer in New Zealand, and we must remember also that the butter coming fresh from New Zealand meets our winter butter in the markets of the old country. Not only that, but if it is not our winter butter, which is certainly not equal in quality to the summer butter, it must be butter which has been produced in this country in the summer and kept until the winter. I think there is a little excuse for the Canadian butter in that matter.

Cold storage, in order to be effective, must be continuous and must be perfect. A little cold storage on a ship crossing the ocean is of very little use. Our system must be so complete that the product of the farmer leaving his hand fresh and pure, must at once be taken into the cold storage either at the station or in a refrigerator car ; when it reaches the harbour there must be a system of cold storage there to receive it ; our ships must be in a position to convey it to the British market in efficient cold storage and in the old country we must have equally efficient cold storage facilities. I was glad to hear it said that the Allans and Thompsons are arranging to receive our goods in cold storage in the old country. Formerly these products were shipped to Tilbury and had to be sent thirty or forty miles on cars, but now I understand they will be received in cold storage almost as soon as they reach the old country. The system of cold storage must be like a chain. A chain is of no use if any links are missing. It is the same with cold storage, it must be complete from the producer to the consumer or it will be of no use.

The constituency which I have the honour to represent is noted for its dairy products and its orchards. Owing to the nature of the soil, its elevation above the sea and its position on the eastern side of one of our Canadian lakes, the county of Huron has been pronounced by experts to be an ideal place for the production of apples for export. In that district the seasons reach the happy medium which enables such valuable shipping varieties as the Greening, the King, the Ben Davis, the Spy, and the Baldwin to become thoroughly matured without in any way running the risk of frost on one side or the greater danger of long continued exposure to hot weather after ripening on the other. Every year the trees are loaded with a magnificent crop of luscious apples. The inhabitants are careful, industrious and painstaking and yet in the face of all these favourable conditions the farmers of Huron complain that they have so far been able to make very little profit out of their orchards. The trouble began thirty or forty years ago when the orchards were planted. At that time the idea of shipping apples to distant countries was scarcely thought of. At that time the ambition of every farmer in planting an orchard was to have a great number of varieties, and the consequence was that a great many early ripening varieties were planted. Now these trees have come into full bearing, the fruit

ripens early in the season in the hot weather and in such enormous quantities that it cannot be used and goes to waste or drops to the ground. In discussing this question with a farmer last fall I was told that in his orchard, which is a comparatively small one, he had 600 bushels of these early fancy apples that were an entire loss and for which he was unable to find a market. If this farmer had had good cold storage facilities he could have made something out of these apples, probably a dollar a bushel. I am told that at the same time in the northwestern country, apples of the same kind were bringing $2 to $2.50 a bushel. In regard to that matter I think I understood the minister to say that about 60 degrees was about the proper temperature for the care of apples. I may have been mistaken; I have great respect for the opinion of the Minister of Agriculture, and I know that he has given a great deal of attention to these things. I do not consider this a political question. I have here the report of the Department of Agriculture of the United States, by Messrs. G. Harold Powell and S. H. Fulton, dealing with the influence of storage temperature. My reason for referring to this is that we have these large quantities of early apples in Huron, hundreds and thousands of bushels going to waste every year on which nothing whatever is made, and I think it is important that some system should be adopted by which we will be able to ship these apples to the Northwest where there is always a good market. I read from page 21 of this report:

> The investigations indicate that the ripening processes are delayed more in a temperature of 31 degrees to 32 degrees Fahrenheit than in 35 degrees to 36 degrees Fahrenheit. The apple keeps longer in the lower temperature, it scalds less, the fruit rots and molds are retarded to a greater extent, while the quality, aroma, flavour and other characteristics of the fruit are fully as good, and when removed from storage it remains in good condition for a longer period.
>
> The impression is quite general that fall varieties and the tender early winter sorts, like Fameuse, Wealthy, and Grimes, are injured in some way by the low temperature, but the investigations of the Department of Agriculture indicate that these varieties behave more satisfactorily in every respect when stored at 31 degrees to 32 degrees Fahrenheit.
>
> If the fruit is intended for storage for a short time only, and it is desired to have it ripen before removing it from the storage house, then a higher temperature may be desirable to hasten the maturity.
>
> The influence of the temperature on the ripening processes appears to depend on the condition of the fruit. Baldwin, Esopus, Spitzenburg, Roxbury, Jonathan, Lady Sweet and other long-keeping eastern grown varieties have been held in prime commercial condition throughout the storage season in a temperature of 35 degrees Fahrenheit, when carefully picked and handled and stored soon after picking, but when the fruit was carelessly handled or the storage was delayed in hot weather, then a temperature of 31 degrees to 32 degrees Fahrenheit was required to retard the ripening.
>
> It might be safe to use a temperature of 34 degrees to 35 degrees Fahrenheit in a storage house located near the orchard, in which the fruit may be stored immediately after harvesting, but for general commercial apple handling, a temperature as low as 32 degrees Fahrenheit is needed to overcome the abuses that usually arise in picking, packing and shipping.

That is the American opinion on the question ; but of course that fact alone does not say it is correct. We know that our Minister of Agriculture and his officers have been very careful in the work they have been doing, but it is well to have the opinion of both sides, for in that way perhaps we will reach the truth. When I speak of the great losses we have sustained in Huron county particularly in the case of the early variety of apples, the answer will very likely be made : why did not the farmers get over the difficulty by top grafting? But so far as I have been able to learn, the growers meet with almost equal discouragement in the handling of the fall varieties. I have seen beautiful hand-picked Baldwins and Spies lying under the trees in the fall of the year until they were spoiled. The difficulty was that barrels could not be procured because of the impossibility of getting seasoned timber and expert mechanics to provide the barrels. Now, that we have the standard apple box this difficulty will be overcome, and the farmers and box makers, can put these boxes together in the winter and have them ready for the apple packing season. I would impress on the Minister of Agriculture that the farmers must be thoroughly instructed in the proper methods of packing apples, because there is a wide difference between packing apples in barrels and in boxes. You may hand pack a couple of rows in the bottom of the barrel and then put the others in without very much trouble, but when apples are packed in boxes they must be carefully hand placed. However, the farmers' daughters who would scorn to do other outside work are quite willing to go into the orchard under the shade of the trees and hand place the apples in the boxes. It has been suggested to me that if when these young ladies are packing the apples in the boxes they would place their names and addresses in the box with the apples and ship them to the Northwest where there are so many bachelors, mutual inquiries might be instituted and the country benefited in another way. Indeed it has been suggested that a very specially selected box of apples with the name of the young lady who selected it hidden therein, might be sent to the Minister of Agriculture himself, and in that way perhaps he could be induced to take a greater interest in the farmers of Canada than he has up to the present. For my part so long as we get a proper system of cold

storage I care not whether it is supplied by the government or by private enterprise; and if the Minister of Agriculture can bring this about and thus enable the farmers of Canada to make more profit out of their products (especially in view of the immense market that is opening up in our own Northwest) his memory will be green when most of the rest of us are forgotten. I am sure the hon. gentleman will give his attention to this matter and consider it carefully. I believe that if we had a perfect system of cold storage $20,000,000 a year might be added to the wealth of the farmers of this country, and the man who succeeds in accomplishing that will have done a great deal for the material benefit of his country. I am sorry to have spoken at such length at this late period of the session, but hon. gentlemen will agree that I am not one of those who have wasted the time of the House, and my excuse for speaking now is that the subject under discussion is of the very greatest moment to our agricultural community.

Mr. D. DERBYSHIRE (Brockville). I compliment the hon. member for East Lambton (Mr. Armstrong) on the manner in which he brought this matter before the House, and I wish to say that the Eastern Dairymen's Association would possibly desire to make him an honorary member of that body. This question has been engaging the attention of the dairymen of Canada for a great many years. In 1897, the right hon. the Prime Minister, the Minister of Agriculture and other members of the government met in Montreal a deputation of the Eastern Dairymen's Association, the Dairymen's Association of Bedford, and the Montreal Butter and Cheese Exchange, for the purpose of ascertaining our views on this question of cold storage. We then pressed on the government the necessity for affording to us in Canada the facilities provided in other countries for carrying perishable products to the British market. The government listened to us attentively and acceded to our request to the extent of giving us a moderate system of cold storage, which although not all that we wanted was a great deal better than what we had hitherto.

From year to year the cold storage accommodation has been improved until now every steamer that comes to the port of Montreal is provided with it without subsidy. Competition has brought this about. Of course, in the beginning the government had to subsidize the steamers in order to show the good results that would accrue to the people of Canada from the cold storage system. But now the steamers are providing it themselves, and the one which has the best equipment and can carry the goods to the British market in the best condition is the one that will get the most goods. Then, in order that the goods may be landed in Great Britain in proper condition, the Surrey commercial dock in London has been fitted up to receive the goods in cold storage the moment they arrive; and other docks in every part of the United Kingdom will have to give the same accommodation, or the goods will go to the Surrey dock. We feel proud of the record of the government in connection with this cold storage system. There is nothing for which they stand stronger before the country. In the year 1897, when we commenced shipments in cold storage, we shipped $13,000,000 worth of cheese; but, as the result of placing our goods on the British market in better condition than other countries were placing theirs, we gained in our exports until in the year 1904 we exported $24,000,000 worth of cheese. We did almost as well with our butter. In 1896, when we had not the cold storage system for it, out exports of butter amounted to only $1,000,000. But the government took hold of the matter in a business way, with the result that in the year 1903 we exported $7,500,000 worth. We are going steadily ahead all the time. Last week we shipped 11,810 packages of butter as compared with 6,602 packages in the corresponding week of last year. So that everything in connection with this cold storage business has been handled in the best possible way; and to-day it is not costing the government a dollar, because all the ships have to give the facilities in order to get the trade in this large and expanding business. The furnishing of these cold storage facilities is the most important thing the government have done since they came into power, and I feel proud of their record in this matter. As a result of better facilities, in place of shipping $4,000,000 worth of bacon, as we did in 1896, we shipped last year $13,500,000 worth. In 1896 our exports of butter, cheese and bacon together amounted to $19,455,000; but in 1904 they amounted to $47,697,000; showing what the people can do when they have the facilities for carrying on their business in the best possible way. In other words, because this government have given the country the facilities to enable them to place their goods on the British market in the best possible condition, we have added to the wealth of this country $3,000,000 every year since they have been in power. In nothing has the government been stronger than in this matter, and I feel proud of the Minister of Agriculture. He has not given us all we have asked, but we are in hopes of bringing him to time. With the assistance of my good friend from East Lambton (Mr. Armstrong), I am sure that we are going to persuade him to give us better facilities for carrying the goods to Montreal. Last week we should have had refrigerator cars for that purpose. The heat came very suddenly, and we had not the cars, but the government have agreed to give us the ice cars for the next week, so that we are going to be able to deliver our goods from every factory to the cool curing

chamber in Montreal; so that the best facilities will be provided to ensure our goods being placed on the British market in a satisfactory condition. A few years ago we felt that something should be done to improve the curing rooms of our country; and we talked the matter over with the Minister of Agriculture. He at once established four central experimental cool curing stations, two in Ontario and two in Quebec. In three years these stations have cured 119,686 boxes of cheese. This cheese has been cured in such a way as to justify the experiment, and all the factories in the country will require to be put in better condition to properly cure their cheese. Thousands of dollars are now being spent every year in building cool curing stations. We are getting all the time into a better position for placing our goods on the British market. I feel proud of the record of the government on this cold storage business, and I hope they will give us still better facilities in the future. I hope my good friend from East Lambton will give us all the assistance he can, and will join the Eastern Dairymen's Association, and become a prominent man in the country.

Mr. C. H. PARMELEE (Shefford). Mr. Speaker, I wish to say a word or two in reference to a subject which has been introduced by my hon. friend from Huntingdon (Mr. Walsh). He stated, what is quite true, that there is more or less complaint on the part of the factory men of Canada in regard to shortages of weight in butter and cheese. My hon. friend seems to think that is a new grievance, which has only arisen since the Liberals came into power. Let me tell him that the same sort of grievance existed when his friends were in power, and what did they attempt to do to remedy it ?

So far as the Liberal government is concerned, a royal commission was appointed at the instance of my hon. friend the Minister of Agriculture, which investigated the whole question thoroughly and laid the foundation for the application of a remedy. In this country it is the law that the boards of trade in the various centres are vested with the power of appointing public weighers, whose certificates have full effect in law. That has been done in Montreal. The board of trade there appoint a public weigher in the person of Mr. Cameron. But the butter and cheese exchange, for reasons best known to themselves, refuse to utilize his services, but appoint instead Mr. Macleod. So far as I have been able to ascertain, one of the chief complaints of the factory men is that Mr. Macleod is the employee of the Butter and Cheese Association instead of being an impartial public official like Mr. Cameron. So far as I know, I believe the factory men throughout Canada are perfectly satisfied with Mr. Cameron's weights, but have little confidence in Mr. Macleod's. I might say, for the information of the factory men, that it is their own fault if they accept Mr. Macleod's weights or pay claims for short weights on his certificates, because they are not worth the paper they are written on. In respect to the Minister of Agriculture, he is fully seized with the importance of this matter, and in the last few weeks he had a conference with the council of the Board of Trade of Montreal concerning it. Some four years ago, for some inexplicable reason, the council of the Board of Trade of Montreal, at the instance, I presume, of the Butter and Cheese Association, passed an extraordinary rule to this effect, that in the weighing of butter and cheese gains shall not be balanced against losses. The practise I believe to be this. Butter and cheese are weighed in lots of five. If two boxes should be short and one full weight and two over weight, the average weight making the lot all right, Mr. Macleod's practise is to charge them two out of the five short or forty out of a hundred. In other words, he gives no credit for gains, but in that he is following the rule of the council of the Board of Trade. The Minister of Agriculture pleaded with the council of the Board of Trade to rescind that rule. He urged strongly that such a rule was in contravention of the spirit of fairness and justice. He held, and very properly, that no other staple article in Canada is subjected to any such rule. That, however, is the situation to-day, and I may say that in my opinion any claims for shortage baased upon a rule of that kind would not hold in any court. Such is not the practice of the trade in the case of any other staple article. The rule is not based upon any principle of fairness or justice, and I do not believe that any court in Canada would sustain a claim for short weight based on it. I may say that should the council of the Board of Trade persist in refusing to rescind the obnoxious rule and refuse to put butter and cheese on the same basis as other great staples, it will become the duty of this House to amend the law in respect of public weighing, and particularly the weighing of these two great commodities. That is a step which no doubt most of us would rather not be compelled to take. It would be far better if the council of the Montreal Board of Trade would listen to the dictates of reason and fairness and rescind the rule complained of, and it would be far better, too, if the Montreal Butter and Cheese Association would then fall into line and avail themselves of the services of Mr. Cameron, in whom the factory men of Canada have confidence, who is besides a public official, and whose weights have effect in law.

I do not mean to stand up here and claim that there is no such thing as short weights. I know perfectly well the conditions under which butter and cheese are weighed and have to reach the market. I know their

liability to shrinkage in hot weather, the possibility of the scales being out of order some times and of perhaps careless weighing; but I do contend that the factory men are entitled to have the assurance that when their goods are weighed they are weighed properly and honestly by a public official. The great cause of complaint and friction between the buyers and sellers is largely due to the fact that the factory men lack confidence in the weigher. They feel that there must be something wrong when the Butter and Cheese Association of Montreal refuses to employ a public weigher and appoints a man of their own, and they are justified in that lack of confidence when they become aware of the extraordinary rule under which the weights are figured out.

I am glad my hon. friend from Huntingdon has brought this matter up, because I wanted an opportunity of saying a few words on it. I may say, from my own knowledge of the business, that some curious things happen in respect of the weighing of butter and cheese. When the market is buoyant and prices are going up claims for short weights are rare, whereas in a falling market these claims multiply. I do not know that the two circumstances have anything to do with these results, but no doubt the employment of Mr. Macleod and his application of this unfair rule have tended to convince factory men generally that they are not being treated fairly. It is in the interests of the trade of the country, and particularly of the great butter and cheese trade of Montreal, which handles from $30,000,000 to $35,000,000 worth of these products every year, to have this friction and misunderstanding removed by adopting fair, square and honest methods in respect of weighing. If that be done, I will guarantee that the factory men will pay claims for short weight, and do that cheerfully once they are convinced the claims are fair, because no factory man in this country wants to be paid for an extra pound of butter or cheese which he has not been able to furnish. And I would warn the Butter and Cheese Association of Montreal and the council of the Board of Trade of Montreal that unless they do their part towards putting the weighing of butter and cheese on a proper basis, it may be the duty of this government and parliament to adopt legislation which will compel them to do so.

Mr. WALSH. Might I ask a question? How long does the hon. gentleman think this grievance will continue before some remedy is applied? The government recognized it in 1901, and have as yet done nothing.

Mr. A. A. McLEAN (Queen's, P.E.I.). I wish to bring to the attention of the House a promise made in 1901 by the Minister of Agriculture, which will be found on page 5168 of 'Hansard' of that year. At that time, in discussing the question of cold storage, he said he had in view, not only the equipment of steamers from Montreal and the maritime provinces, but a small steamer to run continuously between Prince Edward Island and Great Britain. I find this statement made by the hon. minister:

> For instance, we have one steamer we propose to equip that is undertaking to trade between Prince Edward Island and England, devoting itself to that trade exclusively. That trade only requires a comparatively small steamer, and the equipment will not cost much more than half what it would for one of the larger Elder Dempster boats sailing from Montreal to Liverpool.

He also states that there will be five trips in the year 1901 and six trips in the following year. I would like to know from the minister what became of this steamer which, he promised, would be equipped for the purpose of trading between Great Britain and Prince Edward Island. I do not think that steamer ever traded between that province and Great Britain. If she was so equipped, I would ask the minister from what ports she ran and what trips she made?

Mr. FISHER. The information the hon. gentleman asks for relates to the Department of Trade and Commerce. I will get it for him.

Mr. ARMSTRONG. I would like to say just a word before closing. I wish to thank the courteous member for Brockville (Mr. Derbyshire) for his kind reference to myself and to tell him that I shall be only too glad to join the Eastern Dairyman's Association. I am glad to hear him say that he would like to have the minister improve the system. That is what we are eager he should do. As to the government weigher at Montreal, I cannot think of anything more necessary to secure the confidence of the people shipping these goods to the port of Montreal than to have a public weigher there, and I sincerely hope that the minister will soon arrange for the appointment of such an officer. I wish to correct one or two remarks made by the minister. He tells us of the wonderful work of the department and refers also the United States system. My reason for calling attention to some of the remarks of United States officials as to our cold storage system of Canada is emphasized by a report I have here which says that the system of cool curing of cheese used in Canada at a temperature of 52 degrees to 58 degrees Fahrenheit stands midway between the cool curing system that they advocate and one most widely in use at the present time. So, it appears that the hon. minister's system goes only half way. We urge upon him to insist on securing a lower temperature for the cheese. The hon. minister also referred to a remark I made as to a report from the

United States which, he said, was an eighteen months' report of the cheese cure. I wish to call attention to a ninety days' report which states that at 40 degrees the losses were 1¼ per cent, while at 50 degrees to 60 degrees—the temperature the minister is advocating all over the country—the cheese shrank to 3·4 to 4·5 per cent in the same time. So, the minister cannot help but see that my contention in regard to cheese was reasonable and fair. The minister referred, in a rather heated manner, to my statement that the Brockville curing room went over 74 degrees on twenty-four days during the two years. I can only refer him to the document published by his own department, 'report of a conference of dairy instructors and experts.' In that I find the statement made by Mr. Ruddick, I believe—page 102—and I would ask the particular attention of the minister (Mr. Fisher) to this, as he warmed up particularly in speaking of it.

Some hon. MEMBERS. Oh, oh.

Mr. SPEAKER. Of course, all this is with the permission of the House.

Mr. FISHER. The hon. gentleman (Mr. Armstrong) will understand that I have no right to reply and he has no right to speak. Of course, I am willing that he should speak.

Mr. ARMSTRONG. The minister made a statement and I wish merely to place against it the statement in this publication of his own department.

Mr. L. LAVERGNE (Drummond and Arthabaska.) (Translation.) Mr. Speaker. I congratulate the hon. Minister of Agriculture on the clever, wise and business-like manner with which he has managed his department since the advent of the Liberal government to power.

I approve entirely the flattering remarks made by the hon. member for Brockville (Mr. Derbyshire) respecting the minister and the record of his department, and I take this opportunity to show briefly the excellent results derived from the establishment of cool curing chambers in different parts of the country, specially in Ontario, at Brockville and Woodstock, and in Quebec, at St. Hyacinthe and Cowansville. The rural districts which have been fortunate enough in procuring these stations, have fully justified their usefulness—say their necessity, by the superior quality of the cheese and the increased price secured for it. Cheese is graded in these curing rooms, so that every honest endeavour to produce a good article is rewarded by a proportionately high price.

I beg most respectfully from the hon. Minister of Agriculture (Mr. Fisher), to establish more cool curing stations, at such places as were previously decided upon in Quebec, and Ontario, and up to those now in operation in St. Hyacinthe, Woodstock, Brockville and Cowansville. I beg to draw the attention of the hon. minister and of this House to the fact that the district of Arthabaska is one of the foremost in the province of Quebec for the manufacturing of cheese. I have the honour to represent this constituency and I am satisfied that I am now voicing the unanimous desire of the farmers of that district, in claiming for them a large cool curing station, in order that they may enjoy the benefit of it such as the farmers of the district of St. Hyacinthe and Bedford do. I believe that after he has perused the reports and satisfied himself as to the large quantity of cheese turned out in the district of Arthabaska, the hon. minister will not hesitate to decide upon the construction of a cool curing station in that district such as they now exist at St. Hyacinthe and other large cheese-producing centres. I am aware that the government cannot think of establishing such stations everywhere and that he can only build them where the quantity of cheese produced would justify the expenditure, but the district of Arthabaska is undoubtedly one of those that are entitled to it.

I do not wish to detain the House any longer, my only desire being to draw again the government's attention to the production of cheese in the district which I have the honour to represent, and I thought that perhaps this was the most favourable opportunity to do so. I hope that the hon. minister will take kindly to my remarks and that he will find his way clear to grant my request in favour of the farmers of Drummond and Arthabaska either in the course of this or next year.

Mr. DAVID HENDERSON (Halton). I had not intended to take part in this debate; I do not pretend to a practical knowledge of the cold storage system which would warrent me giving advice to this House or to the farmers of Canada. I do not believe in placing upon the 'Hansard' any mere advice unless it is of such a character as that, when read by the farming community, it can be relied as being of some material value. There are one or two points in connection with this subject to which I might refer, even though I am not a practical agriculturist or shipper of perishable products. I am always glad to hear a question like this ventilated in the House. It is a question of deep interest to a great many people in this country, and I have no doubt that, from the able discussion which has taken place this afternoon, all of which I regret I did not hear, a great deal of useful information was imparted to the people of this country. However, I think it only fair to say this, honour to whom honour is due. If there is any good in the system of cold storage, let us be fair enough to give the credit to the proper parties. I listened a few moments ago to the hon. member for Brockville (Mr. Derbyshire) who claims to be a

very high authority on questions of this kind. Well, in some respects he is a pretty high authority, probably about six inches higher than any other man in this House. But I am not sure that he is as correct in his figures or in his data as he ought to be on a question of this importance. He told us about a system of cold storage that was inaugurated in 1897. I am afraid my hon. friend has been asleep during the intervening years. He does not appear to know that long before 1897 there was instituted in this country a system of cold storage which, in effect, was the basis of what we now have. Permit me to remind the hon. gentleman—because I have no doubt that he will be engaged in addressing cheese and dairymen's associations—that long before 1897 there was the nucleus of a good system of cold storage established in this country. I hold in my hand the report of the Minister of Agriculture for the year 1896, prepared by the present minister, and in that report I find the following statement :

A cold storage service for the safe carriage of butter was begun in 1895.

Not in 1897.

Arrangements were made whereby refrigerator cars for carrying butter were run during the summer on the main lines of railways leading into Montreal. These cars were used to pick up small lots of butter as offered at the different railway stations. Shippers by these cars were allowed to ship butter at the usual 'less than carload rates' without any charge for icing or special service. As far as space permitted, merchants were allowed to use these cars for the shipment of dairy and creamery butter between points at which the cars touched. During 1895 cars were run for at least part of the season on the Grand Trunk and Canadian Pacific Railway.

Arrangements were also made for the chilling of fresh-made creamery butter at the warehouses of the Montreal Cold Storage and Freezing Company, Montreal.

Further on he states :

Arrangements were made for extending the area served by the cold storage cars on railways during 1896. Refrigerator cars were run on terms similar to those in 1895 on the Grand Trunk and Canadian Pacific Railways leading into Montreal. The increase in the quantity of butter exported from the port of Montreal may be quoted from the following figures :

	Packages.
Exported from Montreal during the shipping season of 1894	32,055
Exported from Montreal during the shipping season of 1895	69,664
Exported from Montreal during the shipping season of 1896	157,321

Now I want to draw attention to this fact, the hon. gentleman who preceded the present Minister of Agriculture is entitled to some share of credit for having established this system of cold storage. It was not due to the present minister. I am not reflecting on the present minister, I am commending the present minister for doing what he has done, for taking hold of a system that was instituted by his predecessor and using all the improved methods that are known for the carriage of perishable products and bringing that system to a higher condition. In that respect I think the present minister is to be commended. But whilst we commend the present minister for what he has done in this respect, we must not forget that something is due to the hon. gentleman who preceded him, and who initiated the cold storage system which has brought about the tremendous results that were referred to by the hon. member for Brockville. I regret that he was not quite fair enough to give credit to whom it was due, and that is the reason why I have risen to make this statement. I have listened to discussions of this character in former years, and the chief complaint I heard made was that the system of cold storage was, to a certain degree, imperfect, inasmuch as it was not kept at a regular temperature all the way across the ocean, and until the goods were delivered to the consumer. I presume the minister has taken steps to remedy that defect. I have also heard the complaint made against the Minister of Agriculture and the Department of Trade and Commerce that when subsidies were granted to steamship companies, and when the people of this country paid for a cold storage system on the vessels crossing the ocean, care was not taken to enter into an agreement with the steamship companies to carry freight at as low a rate as it was carried from American ports in vessels which were possibly better fitted up for carrying perishable products than those sailing from our own ports. I shall not speak any longer on this subject. I have accomplished my purpose in reminding the hon. member for Brockville that there were men living before 1897 who took a very deep interest in the matter of the export of our perishable products to the old land, and who were the authors of the cold storage system which has proved so advantageous to the farmers of this country.

Mr. T. S. SPROULE (East Grey). I wish to make a remark with regard to the exceptional manner in which this motion has been accepted by the government. The argument supporting the motion states that the cold storage system now existing is not adequate. It quotes the exports and the large amount of products of a perishable character which are conveyed in cold storage, and which depreciate very much in value on account of the inadequacy of the present system. Then it goes on to say that there was a heavy loss to the farmers for the want of that proper cold storage, and it follows that up by saying that the cold storage facilities provided 'should be thoroughly up to date and efficient, and such as to afford an adequate return for the subsidies granted.'

That is what we should have, but the

whole argument went to show that we have not that and as a consequence there has been a large loss to the farmers. The Minister of Agriculture says : I admit that we should have that and therefore I agree with and accept the resolution, it is a motion of want of confidence in the government as it is an amendment to supply, but the minister has accepted it and what has he done by accepting it ? He absolutely condems what he has been doing as Minister of Agriculture for years, because the member who made the motion showed by the thermograph records that there has not been a proper system of cold storage, that there has been a serious loss to the farmers and that Canada is suffering immensely from this cause. The motion is a condemnation of the minister but he says he will accept it and thereby condemns himself and the administration of his department. The Minister of Agriculture says it is true that we have made contracts with the steamship companies to provide cold storage. Yes, they did, but what did those contracts contain ? Only a portion of what they ought to contain. They pretend to provide that cold storage shall be supplied to the farmers at a reasonable rate as was done by his predecessors, when similar contracts were made which contained a stipulation specifying exactly how much in addition to the usual freight rates should be added for cold storage. The present contracts do not ensure the maintenance of a uniform temperature for the whole voyage and the perishable products carried suffer in consequence of this omission. We assist steamship companies from two sources, one is by subsidies for carrying mails and the other by subsidies for the provision of cold storage, and in both of these cases I say the government have lamentably failed in the making of the contracts to provide adequate cold storage sufficient for the relief of the farmer and with a uniform temperature throughout the voyage. When the Minister of Trade and Commerce had his contract before the House we asked for a copy and what did that tell us ? It contained a provision that the steamships securing a subsidy shall provide adequate cold storage but there was no penalty attached if they do not provide that cold storage. It is like the old saying that a law without a penalty is valueless. You may say a thing is improper and should not be done, but if you do not provide some punishment your law is of no use, and so a contract of this kind without some penalty clause is valueless. You may say as the Minister of Trade and Commerce said, that these steamships shall provide adequate cold storage, but they get the subsidy whether they provide it or not, and the farmers suffer in consequence. The result is that we are paying for something we never get and that is why we are blaming the government. That is why this motion is made and the government by accepting it, accepts a vote of want of confidencre in themselves.

Motion (Sir Wilfrid Laurier) agreed to, and House went into Committee of Supply.

Hon. W. S. FIELDING (Minister of Finance). In accordance with the understanding this motion for supply was brought forward to-day in order to afford an opportunity for the discussion of this important subject but without any intention of taking up supply. For that reason I beg to move that the House will to-morrow resolve itself into a Committee of Supply.

Motion agreed to, and committee rose and reported progress.

PROVINCIAL GOVERNMENT IN THE NORTHWEST TERRITORIES.

House in committee on Bill (No. 69) to establish and provide for the government of the province of Alberta.—Sir Wilfrid Laurier.

On section 24,

The Northwest Territories Act, being chapter 50 of the Revised Statutes in all Acts amended thereof, are hereby repealed as respects said clauses, provided notwithstanding such repeal so much of the said Acts and of any order or regulation made thereunder as was in force immediately before the coming into force of this Act, and is not inconsistent with anything contained in this Act, or as to which this Act contains no provision intended as a substitute therefor, shall continue in force in the said clauses in pursuance of and for the purpose of section 15 of this Act.

Mr. FITZPATRICK. The intention is to continue on the conditions existing in the Northwest Territories at the present time with respect to laws, &c., and at the same time to get rid of the Northwest Territories Act which shall cease to be operative in the territories after this comes into force. I have had the advantage of a conference with the leader of the opposition (Mr. R. L. Borden) and while we are at one with respect to the object we both have in view, it has been suggested by the leader of the opposition that possibly some other form of words might be found to carry out our object. In that view sections 15 and 24 might either be allowed to remain in abeyance or be carried to-night with the understanding that if hereafter any better form of words is found we might reconsider the clauses, or, in the alternative, hold the clauses in abeyance.

Mr. R. L. BORDEN. As the Minister of Justice has said the object to be attained is very plain, but it is not easy to adopt the exact form of words necessary for that purpose. The criticism which has been made is that the section now under consideration, while repealing the statutes, continues them in force subject to another repeal provided

for in section 15. Probably the answer which will be made by the draughtsman is that the statutes are repealed but their provisions are continued in force by reference and that those provisions so continued in force by reference are to be dealt with afterwards under the provisions of section 15 by either the parliament of Canada or by the legislature of the province according to the jurisdiction of either the one legislative body or the other. I do not think there is any objection to passing these two to-night, subject to the condition mentioned by the Minister of Justice, that if it is desirable to return to either one or other of these clauses we can do so without any question. Of course it may be that some gentleman who is not here to-night might like to say something about either one section or the other.

Mr. FITZPATRICK. The leader of the opposition has been good enough to suggest that the gentleman in my department who has drafted the clause might confer with some of the hon. gentlemen on the other side for the purpose of endeavouring to get some wording which will carry out the object we all have in view. This is a thing that ought to be settled by conference, and personally I think that is the best way to proceed. The suggestion of the leader of the opposition has been adopted by me, and I shall see to it that the official of the Justice Department shall consult gentlemen opposite with the idea of agreeing as to a form.

Mr. MONK. I was not present when the original section 15 was changed. The first draft of section 15 was very short, but as it is to-day the same idea has been extended considerably. I call the attention of the Minister of Justice to the beginning of section 15 :

> Except as otherwise provided by this Act, all laws, including the Northwest Territories Act and the amendments thereto notwithstanding the repeal thereof by this Act, and all orders, &c., shall continue in the said province.

The amendment of which the Minister of Justice gave notice seems to change that. It says:

> The Northwest Territories Act, being chapter 50 of the Revised Statutes in all Acts amended thereof, are hereby repealed as respects said clauses, provided notwithstanding such repeal so much of the said Acts and of any order or regulation made thereunder as was in force immediately before the coming into force of this Act, and is not inconsistent with anything contained in this Act, or as to which this Act contains no provision intended as a substitute therefor, shall continue in force in the said clauses in pursuance of and for the purpose of section 15 of this Act.

Does it not seem that there is some clashing between this proposed amendment of section 24 and the rather sweeping terms in the beginning of section 15?

Mr. FITZPATRICK. Quite right, but a word of explanation will make it clear. The words in section 15 which constitute a contradiction, namely : 'Including the Northwest Territories Act' are repealed by my amended clause. The history of the legislation is that the original section 15 in that brief form was drafted by myself. When this clause came up for further consideration it was necessary to amplify the original clause to some extent, and hence clause 15 in the form which my hon. friend (Mr. Monk) has it in his possession. That clause was drawn in anticipation of a brief repealing section such as you have it in the original Bill which merely provided for the repeal of the Northwest Territories Act. The intention now is to change it so as to adopt section 15 in the form in which my hon. friend has it, amplified as it has been by the draughtsman, eliminating the words:

> Including the provisions of the Northwest Territories Act and the amendments thereto notwithstanding the repeal thereof by this Act.

And for these words substitute the new provisions of section 24. This is the fourth attempt we have made at conveying the idea we all have in our minds.

Mr. MONK. I did not know of the change. I would further call the attention of the Minister of Justice in a general way to this point : That in this section 24 we are maintaining in force a very considerable body of law contained in the Northwest Territories Act. A glance will show the Minister of Justice that there are very few sections of the Northwest Territories Act that are either inconsistent with the Alberta Act or for which there are substitutes in so many words in the Alberta Act. I wish to mention particularly section 110 of the Northwest Territories Act as to the English and French language and in regard to which I have given notice of an amendment. Section 110, under this repealing section 24, would seem to me to be preserved. There is no clause in the Alberta Act under consideration which provides any special substitute for that, nor is it inconsistent with any of the clauses of the Alberta Act, as I understand them. It would remain in the law, and I would venture the opinion that it would remain there very probably, subject to repeal by the local legislature as being a local matter within the province.

Mr. FITZPATRICK. If section 110 is carried forward,—and I myself am disposed to think it is carried forward—it would be the law as they will have it in the province after this constitutional Act is passed. Then of course, it would become subject to the control of the local legislature, and it will be a matter to be dealt with by them ; and I say emphatically, Mr. Chairman, that is my intention. That is, the matter as I view it, ought to be dealt with by the local legislature—of course now I am speaking absolutely from my own standpoint.

Mr. SPROULE. It seems to me there may be a conflict of authority or jurisdiction after a while with regard to the Yukon Territory, if we repeal these laws. I take it that it is under the authority of the present Northwest Territories Act that the Yukon gets its power.

Mr. FITZPATRICK. Originally it was, but we have passed a special Act with respect to the Yukon Territory.

Mr. SPROULE. When ?

Mr. FITZPATRICK. In 1898.

Mr. SPROULE. I have the Act of 1898 and it says :

Subject to the provisions of this Act the laws relating to civil and criminal matters and the ordinances as the same exist in the Northwest Territories at the time of the passing of this Act, shall be and remain in force in the Yukon Territory in so far as the same are applicable thereto until amended or repealed by the parliament of Canada.

Are you amending or repealing them ? Then the Yukon district is described and it says :

And the same shall no longer form a part of the Northwest Territories.

You have set off the Yukon as a separate district, but it gets its authority from the Northwest Territories Act. Then you provide :

The commissioner shall administer the government of the territory on the instructions from time to time given him by the Governor in Council or the Minister of the Interior.

And then :

The Governor in Council, by warrant under his Privy Seal, may constitute and appoint so many persons from time to time, not exceeding in the whole six persons, as he may deem desirable to be a council and under that council shall act.

Under that authority they have established an educational system. There is nothing set out in the Yukon Territory Act that gives them authority to establish the system which they have established—a dual system of schools similar to that of the Northwest Territories. Under what authority have they established that system, and what laws will apply to the Yukon Territory after we have repealed the balance of these laws except what relate to these two provinces? It seems to me there will be some conflict there.

Mr. FITZPATRICK. I must confess that one educational problem is all that I can deal with at one time. I do not want to be involved in the educational problems of the Yukon. I may say, however, that the Northwest Territories Act is made applicable to the Yukon Territory, subject to repeal, alteration or amendment by the Yukon council. Whatever we may do with the Northwest Territories Act so far as the new provinces are concerned does not affect it so far as the Yukon Territory is concerned.

Mr. SPROULE. You have put the Yukon Territory under a separate authority, and under that authority the Yukon council is acting. When you repeal this law, what will be their position? Will they continue to act as a council under an authority which has been repealed?

Mr. FITZPATRICK. The Yukon Territory will continue, with the provisions of the Northwest Territories Act as they existed before incorporated in the Yukon Territory Act ; so that the repeal of the Act as it affects the Northwest Territories does not affect the Yukon Territory at all. I move to strike out the words :

Including the provisions of the Northwest Territories Act and the amendments thereto, notwithstanding the repeal thereof by this Act, from the first, second, third and fourth lines of the first subsection.

Amendment agreed to.

Mr. FITZPATRICK. I move the addition of the following proviso to subsection 2 :

Provided that if upon such abolition the legislature constitutes a superior court of criminal jurisdiction, the procedure in criminal matters then obtaining in respect of the Supreme Court of the Northwest Territories shall until otherwise provided by competent authority continue to apply to such superior court, and that the Governor in Council may at any time and from time to time declare all or any part of such procedure to be inapplicable to such superior court.

We have at the present time in the Northwest Territories a system of criminal procedure which is special to the Northwest Territories, differing from that which exists in the older provinces. After the new provinces are organized, they will have it within their power to re-create their courts altogether. I want to make the present exceptional system of criminal procedure applicable to the new courts until such time as they may alter it.

Amendment agreed to, and section 15 agreed to.

On section 8—seat of government——

Mr. FOWLER. I think it would be well if the Minister of the Interior would give the committee some idea of the reasons which actuated him in having the capital placed at Edmonton.

Mr. OLIVER. The reasons are so evident that I do not think it necessary to burden the pages of ' Hansard ' or to occupy the time of the House with any statement beyond what has been made during the weary weeks of the debate that has taken place already on this question. If my hon. friend is not familiar with the reasons which prevailed in favour of the location

of the capital at Edmonton, I would suggest that he refer to 'Hansard.'

Mr. FOWLER. Well, from the geographical position of Edmonton, it does not strike me that the reasons for placing the capital there are so obvious as the Minister of the Interior would have us suppose. There must be some hidden reason for it which has not yet been disclosed to the committee. Is it because that happens to be the residence of the minister himself? Can he not get beyond the parochial idea? Surely the position he occupies to-day as a minister of the Crown should have broadened his ideas, and have enabled him to get away from the parish in which he resides. Any man who studies the situation must be convinced that Edmonton is not the proper place for the capital, but that the proper place is the city of Calgary, which is more nearly the centre of population in the province, the commercial metropolis of that country, and on the main line of travel, the main line of the Canadian Pacific Railway, not on a sidetrack as the city of Edmonton is. It seems to me that the minister is treating this committee with very scant courtesy when he shows such a lack of explanation for placing the capital in this position. I do not think he has any right to treat this committee in this cavalier way in this matter, which is very important to the people of the province of Alberta. Take the homestead entries, and take the great movement of population, which is towards the southern part of the province. The present population in the southern part of the province far outnumbers that in the northern part; and yet the hon. minister places the capital at the very extreme of the populated portion of the province instead of at Calgary, which is more nearly the middle in point of position as well as in point of population.

Mr. SCOTT. I might say that the particular evidence which the hon. gentleman calls to the attention of the committee is evidence tending to the very opposite conclusion. If any one looks at the map of the proposed province of Alberta, he will find that Edmonton, instead of being north of the centre of that province, is about 100 miles south of the centre. Where the hon. gentleman gets his information in regard to the centre of population in recent years I am at a loss to understand. The census of 1901, as we have heard in the discussion on the redistribution of that province, showed a population in the northern part of the province in excess of that in the southern part to the extent of about 5,000.

Mr. FOWLER. Where is that line of division?

Mr. SCOTT. The line of township No. 38. North of that line of townships, if my information is accurate, the census showed an excess of about 5,000 over the population south of that line.

Mr. FOWLER. What was the vote?

Mr. SCOTT. Take the two north districts. That province was divided into four federal constituencies. In the two north districts of Edmonton and Strathcona the vote was in the neighbourhood of 11,000, as compared with about 9,000 in the districts of Calgary and Alberta. I may say further that the general impression throughout the west with regard to the trend of immigration in recent years is that it has been very largely towards the northern country. Besides, throughout the northern country there will be shortly two main lines of railways built, namely, the Canadian Northern, which is expected to reach Edmonton this fall, and the Grand Trunk Pacific, which will reach it in a short time. This leads to the inevitable conclusion that very shortly the northern part of Alberta will have a population very much in excess of the population which may be expected in the southern portion. My hon. friend spoke of something hidden behind the selection of Edmonton. Well, I am not a particular advocate of the claims of Edmonton to be the capital as against the claim of Calgary. I, fortunately, do not live in the proposed province of Alberta, but in what I believe to be a better province, that of Saskatchewan. Surely my hon. friend has never been in that part of the country at present termed the northern part of Alberta, or he would know that Edmonton is situated on a hill, and there is nothing hidden about it.

Mr. FOWLER. As far as my information goes, I understand that south of Red Deer, which is nearly midway between Calgary and Edmonton, there would be a population of some 11,000 less than in the northern part of Alberta, which shows my calculation to be absolutely correct with respect to Calgary being nearer the centre of population of the proposed province of Alberta than would be Edmonton. The argument my hon. friend brings forward with respect to railways in the future to go through Edmonton rather gives the advantage to Calgary, because Calgary is not dependent on the future for railway communication as it has a railway, the Canadian Pacific Railway, running through it now. And the maps published by the Department of the Interior show that the settlement in the southern part of the proposed province of Alberta is very much in excess of that in the northern part. They show that the country to the south is being taken up very much more rapidly than the country to the north. And that settlement will be greatly increased when the large irrigation canal is completed which is now in course of construction. That will open to settlement two or three million acres of very fertile land that only require irrigation to become capable of cultivation.

Mr. M. S. McCARTHY. I would point to my hon. friend from West Assiniboia, whose figures I did not catch.

Mr. SCOTT. I said that in the two north federal ridings of Edmonton and Strathcona the aggregate vote on the 3rd November last was in the neighbourhood of 11,000, while in the two south federal ridings of Calgary and Alberta the vote was, in round numbers, 9,000.

Mr. M. S. McCARTHY. My hon. friend has possibly not given the matter as much attention as I have, for I hope he has no desire to mislead the House. He is perfectly well aware that the constituency of Alberta, which is in the south, does not go as far east as the 4th meridian, and the new province of Alberta is now taking in a very large portion of the constituency at present represented by the hon. gentleman. In that portion there are 1,650 votes on the list, which must necessarily go to the south.

Mr. SCOTT. In the Medicine Hat district ?

Mr. M. S. McCARTHY. Yes ; and that would alter his calculation. I simply offer this in explanation, because he possibly did not take it into consideration. I would further point out that a portion of the constituencies of Edmonton and Strathcona run east of the 4th meridian ; and in making his calculation, he no doubt included the vote cast in the province of Saskatchewan as it is now. The same remark applies to the constituency of Calgary. It also runs east of the 4th meridian ; but in that portion of the constituency east of the 4th meridian there was no poll held at the polling subdivision there, whilst at the poll held at Lloydminister a very considerable vote was cast, as there also was in that portion of the constituency of Edmonton which now is to the east of the 4th meridian. While I have not taken this into consideration, it will be seen from it that Alberta, Medicine Hat and Calgary contain 14,687, and Strathcona and Edmonton 15,263. If you would take these other matters into consideration—the vote in the fifty townships in the constituency of Strathcona and the townships in the constituency of Edmonton—it will be found that my hon. friend's figures are very wide of the mark.

Mr. SCOTT. Would that not leave the north and the south just about even, taking the north line of township 34, which is the dividing line between the two north and south districts ?

Mr. M. S. McCARTHY. If you take the eleven ridings to the south and leave out Red Deer, and take the eleven ridings immediately to the north of Red Deer up to riding 23, there are 2,222 votes cast in the south, multiply that by five or four, you would arrive at the difference in population between the south and the north, which would be something like 11,000.

Mr. SCOTT. What is my hon. friend taking south of the dividing line ?

Mr. M. S. McCARTHY. Red Deer. I do not consider that consitiuency at all, I simply take eleven north and eleven south. You can put Red Deer either to the south or the north.

Mr. SCOTT. What reason have you for taking that as the dividing line ? Why not take a line that would run through Edmonton ?

Mr. M. S. McCARTHY. That is line 38, and Red Deer is practically at line 38.

Mr. SCOTT. What justification have you for taking line 38 ?

Mr. M. S. McCARTHY. None at all. I do not care which you take, but you mentioned line 38 a while ago, and it will work out the same. In leaving out Red Deer I am neither discriminating against the north or the south. If you choose to go through the constituency of Red Deer and take out the polling subdivisions which run north and south of it and take the names out from the list and see how many are in the south and north, you would get at the exact figures. The illustration the hon. gentleman gave is hardly fair, having regard to the fact that there are about 1,650 more names in Medicine Hat and that Strathcona and Edmonton run east of the 4th meridian.

Mr. SCOTT. I would ask what greater right the hon. member has to fix the 38th line of townships than I have to fix the 34th line of townships ? Why fix an arbitrary dividing line between the south and the north of this province ? Or if that is to be done, why not trace a line through the centre of the province ? If we would do that, we would find that practically the whole of the population would be in the southern part.

Mr. R. L. BORDEN. Then, why does not the hon. gentleman fix the capital at Peace River ?

Mr. SCOTT. I am satisfied. I would not complain if it were fixed at Red Deer.

Mr. HERRON. One good reason why the capital should not be placed at Edmonton is that at present the population does not extend a great distance north of that place. It extends south to the boundary, about 350 miles by the most direct way of travel. One travelling from the Crow's Nest Pass, for instance, would have to make a three-day's journey by rail. The journey from Cardston by rail would be about as long. If the capital were fixed at Calgary it would be the most convenient point for all parts of the province. The people of the southern country certainly protest against having the capital placed at Edmonton.

Mr. M. S. McCARTHY. As to the choice of the 38th line of townships, I may say that I am willing to take any line the hon. gentleman (Mr. Scott) suggests. Whatever line he takes the calculation will be the same. My reason for taking the 38th line was because it left eleven constituencies north and eleven south of the line, exclusive of the Athabasca constituencies.

Mr. FITZPATRICK. This is a matter which will have to be settled eventually by the province, just as will the question of redistribution, of which we have heard so much. It is practically left to the province to settle. For the time, we take Edmonton, but the new province can choose any place it pleases. That is the intention, and I think it is the better plan.

Mr. M. S. McCARTHY. Yes, but if the hon. gentleman (Mr. Fitzpatrick) will do me the honour to look at the map, he will observe that Edmonton is practically made the hub of a wheel through this distribution of seats. He will see that a condition of affairs is being established here which cannot be found to exist in any other province of the Dominion. Edmonton is one constituency—the hub. Stony Plain comes into it like the spoke of a wheel; as does Strathcona; and Sturgeon is another; and Saskatchewan is practically another and St. Albert also. Already three candidates have been nominated for these constituencies who reside in Edmonton. So when the hon. gentleman (Mr. Fitzpatrick) says that this is a matter for the local legislature to decide, I may tell him that the people in the south are perfectly willing to leave the capital to be fixed according to the will of the people. But under this measure the hands of the legislature are tied—for there are six constituencies out of twenty-four bordering on Edmonton.

Mr. FITZPATRICK. Of course, I know very little of the conditions existing in that part of the country—but of one thing I am sure that if anything nearly so iniquitous has been perpetrated as my hon. friend (Mr. M. S. McCarthy) tells us, that wrong must necessarily be righted by the people. They will find out that wrong, and they will also find means to remedy it.

Mr. FOWLER. But the difficulty is that the first legislature must be elected from the constituencies as they are here, and that legislature fixes the capital. And the scheme that has been made by some person —I do not know by whom, but I very strongly suspect that it is by the Minister of the Interior (Mr. Oliver)) himself—will result in the permanent capital being fixed at Edmonton. It is like playing with loaded dice. The majority of the people of Alberta will have no fair chance to say which of these towns shall be their capital, for this iniquitous distribution will have its effect, and no doubt, Edmonton will be selected as the permanent capital, whereas, if the voice of the majority of the people could be heard, that selection would not be made.

Mr. M. S. McCARTHY. May I ask the Minister of the Interior to point out one single reason why the seat of government should be placed, even provisionally at the end of railway construction?

Mr. OLIVER. I am very sorry to delay the proceedings of parliament at this stage of the session for the purpose of stating what has already been stated, and re-stated, and re-stated again, until the House must be tired of it and the country most unwilling to hear it again. The suggestion of my hon. friend (Mr. M. S. McCarthy) that the capital is placed at Edmonton, because Edmonton is at the terminus of the railway is quite in line with the argument generally put forward in support of the contentions of hon. gentlemen opposite in this matter. They have been determined to find cause of offence where no cause of offence existed, to find a crime where there was no crime, a gerrymander where there was no gerrymander.

Some hon. MEMBERS. Oh, oh.

Mr. OLIVER. They have assumed that something has been done wrong because it has been done by this side of the House. There is no ground for such an assumption. The placing of the capital is not in the same position as the distribution of the seats. The latter is, in the nature of things, only temporary. The placing of the capital is supposed to be permanent. This government, in locating the capital must, for its own justification place it where it will, in all probability be most suitable for the province, not only as it is, but as it will be. It would be a very short-sighted government and one that would take very little care of the interests committed to its charge if, having the responsibility of locating the capital of the new province, it should locate it otherwhere than at a point where it is likely to be, in future, if not at the present time, the centre of population and of traffic facilities.

Now it is the policy of this government to construct a transcontinental railway. That railway will pass through the city of Edmonton. At the present time the Canadian Northern Railway is under construction to that point. The Canadian Pacific Railway already has connection with that point. The city of Edmonton is the one point west of Winnipeg which has already any reasonable probability of having the three great railway systems of the west. As a railway centre there is no other point equal to it, prospectively, west of Winnipeg between Red River and the Rocky Mountains. If we seek for the geographical centre of the new province, Calgary is not near the centre. Calgary is within

forty miles of the Rocky Mountains, it is close to the western side and at the southern end, and if there is any reason in having a central location for the capital, whatever other claims Calgary may have, it has certainly none of these. Edmonton is fairly centrally situated as between the easterly and westerly sides of the province, and as between the northerly and southerly ends, much more favourably situated than Calgary or any other business centre in the new province. That being the case, and it being a prospective railway centre, being already the centre of a very large population, as has been shown during the debate on the distribution, it seems to me that the fact that it is at the terminus of a branch line is no evidence against its suitability to be the capital, but is rather another evidence in its favour. Edmonton is located at a distance of 200 miles from the Canadian Pacific Railway main line, in a rich country tributary to it, and if, with 100 miles of railway, that Edmonton country is already equal in population, or nearly equal, to the population of the Calgary country with 900 miles of railway, it is fair to suppose that Edmonton with 900 miles of railway will be immeasurably ahead of Calgary in population, as Edmonton will have approximately 900 miles of railway tributary to it within a short time. I think it would be strange if the government of this country should not take all these facts into consideration in locating the capital of the province. It would certainly be very improper not to take into consideration the future prospects as well as the geographical location. There has nothing been said or shown, or can be said or shown, against the good judgment of the government in placing the capital at Edmonton. It has been necessary for the government to chose some point in the new province for a capital, and after they have done that, the matter passes out of their hands, and the new province will settle the question of a permanent capital.

Mr. M. S. McCARTHY. The charge of the Minister of Interior that the proceedings on this question have been delayed by hon. gentlemen on this side of the House is about as fair as most of the statements that he makes in this House. This question I suppose has been discussed for about twenty minutes. The question of a capital has always been a burning question in every province of this Dominion. I would like the hon. minister to point out where any reason has been given in this House since the present session was called why Edmonton should be selected as a provisional capital except that it was the centre of the country. Let us follow out that argument. Where would it land us in the province of Ontario? Up above White Fish Point. Where would you be in the province of Quebec, or the province of Manitoba, or the province of British Columbia? Why then should an exception be made in this case, and why should you move the capital away from the centre of population and of trade, Calgary being the accessible centre to-day? The hon. gentleman speaks of railway construction that is to be. If Edmonton becomes the great railway centre that the hon. gentleman anticipates, then that matter is in the hands of the local legislature and they can place it wherever they think the centre is. But I want to refer to his argument with regard to railway construction. If any person will look at the map at the line of the Canadian Northern and where the Grand Trunk Pacific is looking for a line, he will find that it will open just as much country in the south as it will in the north. I submit that this capital should not be chosen on the ground of expectation and prophesy. I do not think my hon. friend will pretend that there is a greater population in the northern part of that province than in the southern part. I would ask him to look at this map published by the Department of the Interior, showing the lands surveyed up to the 1st of January, 1905, and he will find there that Calgary is in the centre of a very large section of surveyed land, while Edmonton is practically on the northern limit. When you go thirty or forty miles west of Edmonton and fifty or sixty-five miles north, there are no more townships surveyed, which have been printed. We have the evidence produced from his own department showing where the settlement in that country is to-day. Now on the question of population, Waghorn's Guide for February gives the population of Calgary at 9,175 and the population of Edmonton at 5,400. Does the hon. gentleman contend that there are more people in the city of Edmonton to-day than there are in Calgary? Look at the vote that was cast last November as another evidence.

Mr. OLIVER. I contend that there are many more people in Edmonton than Waghorn's Guide says there are.

Mr. M. S. McCARTHY. Are there any more in Calgary?

Mr. OLIVER. I do not know.

Mr. M. S. McCARTHY. Take the vote that was cast last November, and multiply that vote by four or five, and see how that will work out. If you multiply it by five there is a population in the city of Calgary of 13,410 and in the city of Edmonton of 8,445.

Mr. OLIVER. How many voters does the hon. gentleman figure as being in the city of Calgary?

Mr. M. S. McCARTHY. I figure out on the list in the city of Calgary that there were 2,682.

Mr. OLIVER. How many were cast?

Mr. M. S. McCARTHY. I have not the figures here but if you desire the calculation in that way I will make it and give it to you before the committee rises.

Mr. OLIVER. Does the hon. gentleman know the area of the country within which this list was given ? Is that the number of votes within the corporate limits of Calgary ?

Mr. M. S. McCARTHY. There are three polls, numbers, 13, 7 and 1, and if the hon. gentleman desires to know I have gone through the list and picked out the names of those who reside in Calgary from those three polls and on the vote I have checked off the names with the scrutineer's book.

Mr. OLIVER. Would that be as correct as the hon. gentleman's statement in regard to Red Deer ?

Mr. M. S. McCARTHY. It would be as correct as most of the statements which the hon. gentleman makes in this House. I differ with him, possibly I may err. I have not a band of officials behind me to work out the figures for me, but if a misstatement of mine is ever pointed out in this House I shall always be glad to correct it.

Mr. OLIVER. I am pointing out that the figures the hon. gentleman has given as the list for Calgary include a great deal of country outside the city of Calgary.

Mr. M. S. McCARTHY. But a man does not have to vote in the polling division where he resides, and if the vote polled in Edmonton is compared with that of Calgary it will be found that as many polled their votes in Edmonton who live outside that city as in Calgary.

Mr. OLIVER. I do not know what was done in that way in Calgary, but I say that was not done to any appreciable extent in Edmonton because the country immediately surrounding Edmonton was divided into small polling subdivisions so that it would be convenient for the people to vote at their own polling subdivisions and they did so.

Mr. M. S. McCARTHY. On this matter of correctness let me tell the hon. gentleman that it does not lie in his mouth to charge us with misstatements. In placing figures before the House I gave the vote polled, the number on the list of every subdivision and I offered to hand over any constituency poll by poll and ask the minister to point out wherein we were wrong or else to admit we were right. But when we asked a return from the Minister of the Interior of the vote polled and the votes on the list in the four ridings in Alberta, and were furnished with a return showing 1,500 less names on the list in Alberta than there actually were, I would ask the minister if he can show any such error as that in any figures I have cited. If he can do so, I will not detain him any longer in discussion ?

Mr. OLIVER. I was simply calling attention to the fact that when the member said there were so many voters on the list in Calgary he was including votes not in Calgary and he has already said there were three polls in that list not in Calgary.

Mr. M. S. McCARTHY. I did not say anything of the sort ; I said a number of the names in these polls were not on the list. I went through the list and picked out the names of those who did reside in the subdivisions. But that is not all the minister said ; he went further and charged me with having some figures which I submitted in this House incorrect.

Mr. OLIVER. Surely, do you deny it ?

Mr. M. S. McCARTHY. An error was found in Red Deer, but it was not one-hundredth part the error found in the figures submitted of the vote in the north and south. If the hon. gentleman contends for a moment that the city of Calgary is not the commercial centre of that country perhaps figures can be given which may be startling. What I said to him at the outset was that in the city of Calgary to-day we have a line of railway running east and west and another north and south. Edmonton is actually at the very end of railway construction. If he takes a point halfway between the two stations it will be there seen that there are 990 odd miles of railway south and only 150 north. Therefore, I ask, is there any question as to which is the most accessible place to-day ? I have pointed out—and I do not think he will contradict it—that when these new proposed lines of railway are built just as good country as he has in the north will be opened in the southern part of the province. Let us look at some of the returns from the two cities :

Item.	Calgary.	Edmonton.
Postal revenue year ending June 30, 1904..	28,638	13,104
Customs..	414,466	*185,317
Inland Revenue..	100,410	*29,164

* Including Strathcona.

The hon. member does not need to take my figures as the latter two items are returns to an order of this House. Therefore I say that there is not the slightest doubt as to where the centre of population is as I can prove from the map of the Department of the Interior showing the rural population. I have given the figures of the population of the two cities and there is not the slightest doubt as to where the centre of railway construction is to-day or as to which is the most accessible place. We must again trouble the Minister of the Interior to show why the capital, the seat of government has been taken away from the centre of population and trade and the most accessible point. If you look up the constituencies of the local House you will find that eight of the members would have to pass through Calgary to get to Edmonton, one other lives much closer

to Calgary than to Edmonton and any of them along that line can get to Calgary with very little inconvenience. Take the member for Cardstone, or Lethbridge, or Medicine Hat or Pincher and it would take any of these men practically six days to go to Edmonton and return. None of them who go to Edmonton will be delayed in getting to Calgary save for six or eight hours of travel in the train between these two points. Let me point out a simple example which may illustrate where the people of that country consider the centre is at present. Our court en banque, sits at Regina to hear appeals for the eastern part of the country; for the west they sit at Calgary. Why? Because it is more convenient for the judges living in that country, for the litigants and for the lawyers. That is only an example of what a non-political body considers to be the accessible centre and the most convenient place to meet in that country.

Mr. TURRIFF. The fact which the hon. member points out that Calgary is at present the more central railway point certainly would not be denied by anybody who knows the conditions of the country there. But the very fact that although Edmonton has been side-tracked for all these years at the end of a branch line that there is in the country surrounding Edmonton practically the same population as there is surrounding Calgary is to my mind very good proof that Edmonton is more suitable for the capital because the capital is placed for the future not altogether for the present. It shows that the country up there is settling up rapidly when under these adverse circumstances they have practically as many people as there are around Calgary.

The hon. member for Calgary said that according to the map the surveyed townships were more numerous south of Edmonton, and that Edmonton was about on the northern limits. For years back, and especially for the past two or three years there have been demands made on the Department of the Interior by people going into that country 400 miles north of Edmonton to have lands surveyed, but it was the policy of the department not to encourage people to settle so far from railway communication. Last year survey parties were out in that country, and at the present time there are five survey parties near the Peace river subdividing the land at the demand of intending settlers. If anybody who knows that country gives an unbiased opinion, he will immediately conclude that Edmonton is much more centrally situated for the capital of the new province of Alberta than is any other town of importance within the limits of the province, and that the good lands extend as far to the North west——

Mr. M. S. McCARTHY. Did the hon. member say that Calgary was as far south as is Regina the proposed capital of Saskatchewan?

Mr. TURRIFF. I am saying nothing at all about the province of Saskatchewan. I state that Edmonton is more centrally located than any other town in the province of Alberta, and I say that there is a stretch of as good agricultural land suitable for mixed farming and grain growing extending Northwest from Edmonton, as there is from Edmonton to the boundary line, a distance of over 300 miles. Edmonton is as centrally located as it is possible practically to locate the capital of the province of Alberta, not only geographically, but as regards the available land that will be settled in the near future. With two new transcontinental lines heading for Edmonton, one expecting to get there this fall, there is no doubt that Edmonton is much more centrally situated for the capital than is Calgary.

Mr. FOWLER. There is some disagreement between the views of the Minister of Justice and the hon. member (Mr. Turiff). The Minister of Justice told us that Edmonton was only a temporary capital.

Mr. TURRIFF. So it is.

Mr. FOWLER. But the hon. member (Mr. Turiff) says they are selecting Edmonton because of its future possibilities. It is not unusual for us to observe a wide divergence of opinion among gentlemen opposite, and so we are not so much surprised at it as otherwise we would be. The hon. gentleman (Mr. Turriff) spoke of the relative nearness of Calgary and Edmonton to the international boundary, but if he looks at the map he will see that Regina is forty miles nearer to the United States than is Calgary, and this would seem to indicate, according to the hon. gentleman's own argument, that Regina is too close to the boundary to be the capital of Saskatchewan.

Mr. LAKE. I notice that the city of Prince Albert is almost exactly the centre of the province of Saskatchewan taking it from east to west, and taking it from north to south it is very much nearer the centre than either Regina or Saskatoon. It will, therefore, be necessary for the hon. members from East Assiniboia and West Assiniboia to adopt a new line of argument when we come to select a capital for Saskatchewan, but I have no doubt they will accommodate their argument to the idea they wish to advocate.

Mr. OLIVER. We will deal with that when we come to it.

On section 20,

Mr. FITZPATRICK. I move to substitute the following section for section 20:

All crown lands, mines and minerals and royalties incident thereto shall continue to be vested in the Crown and administered by the government of Canada for the purposes of Canada, subject to the provisions of any Act of the parliament of Canada with respect to road allowances and roads or trails as in force immediately before the coming into force of this Act, which shall apply to the said province with the substitution therein of the said province for the Northwest Territories.

2. The Rocky Mountains Park shall continue to be subject to the provisions of the Acts of the parliament of Canada applying thereto, and to regulations made or to be made under any such Act: Provided that the provincial laws shall apply to and be operative within the said park so far as they are not inconsistent with such Acts and regulations.

Mr. LAKE. I purpose moving an amendment having in view the carrying out of the principles of confederation in regard to the provincial ownership of Crown lands. A good deal of discussion has already taken place on this matter, and I do not consider it necessary to say very much more now. The British North America Act is very explicit and precise in regard to the distribution of legislative authority as between the Dominion and the provinces. There are certain rights and powers assigned to the provinces. An organized territory without full provincial powers is in my opinion a territory still, and not a province in the full meaning of the word. If the word 'province' is to be retained in these Bills the ordinary rights and powers of a province ought to be given to these new organizations It seems to me that comparatively little change is being made in the status of these two territories, and that the two so-called provinces will be provinces merely in name and not in actual fact. That being so they should have some distinctive name applied to them to distinguish their status from the status of the older provinces. I have protested on a former occasion against depriving these new districts of the ordinary rights and powers enjoyed by the older provinces of the Dominion. I have said that the designs of confederation cannot be said to have been successfully accomplished when there are two grades of provinces existing in the Dominion: upper and lower grade provinces. A confederation in which a citizen has greater rights in one province than in another cannot be enduring. I contend that when a Canadian goes from the province of Quebec or of Ontario to reside in Alberta he should not be deprived of any of the rights of his citizenship. One of the essential attributes of a province is the possession of its public lands. It has been the fashion during the debate on this Bill to criticise the fathers of confederation; I do not join in that criticism. I consider that the principle of the possession by the provinces of the public lands within their limits, was one of the wisest provisions adopted by the fathers of confederation. Sir John Macdonald, in advocating this principle, said it was:

One of the chief advantages of the federal union and of local legislatures, that each province will have the power and means of developing its own resources and aiding its own progress after its own fashion and its own way.

Sir A. T. Galt, speaking at the same time, said:

We may place just confidence in the development of our resources, and repose in the belief that we shall find in our territorial domain, our valuable mines, and our fertile lands, additional sources of revenue far beyond the requirements of the public service.

Not very long ago the hon. member for Western Assiniboia (Mr. Scott), in advocating this same principle used an expression which I thought a very apt one. He spoke of the principle of the possession of the public lands by the province as the very keystone of the whole scheme. In some strange manner he appears lately to have changed his opinion on that subject. The control and administration of the public domain as well as the beneficiary interest in it should be in the hands of the same authorities as those who have to open up internal communications and meet local services, such as roads, bridges, fireguards, water supply, and so on. No different treatment should be meted out to Alberta and Saskatchewan than has been meted out to the older provinces. The management of the land by the local government would be immensely more convenient to the people, who are settling those vast areas and converting them from their wild state to the needs and uses of civilization, than management from a centre thousands of miles away. Abuses and mismanagement are more easily remedied on the spot by a body of direct representatives all with an intimate knowledge of local requirements and local conditions, than by this parliament, such a small proportion of whom have any local knowledge, and many of whom take small interest in that country. The local administration would bring greater satisfaction and contentment to the settlers—always a most important factor in inducing immigration. I have on a previous occasion pointed out the utterly inadequate compensation being made for the loss of the public domain. Other provinces will be rich and prosperous and able to develop their resources by the judicious administration of their public domain when Alberta and Saskatchewan are having to resort to direct taxation for the ordinary purposes of local government. One excuse that has been urged is the difference of the position of the original provinces in regard to their lands at confederation and the two territories with which we are now dealing. The former were spoken of as sovereign colonies, at the time in full possession of their own lands. I submit that it is not true statesmanship to make this distinction. The

present standing of the Territories is not inferior to that of some of the original parties to confederation. They have made a name for economical and pure administration, they have a good body of laws, and they have shown themselves enlightened and competent to legislate in the best interests of the people of that country. They have, for instance, a schools ordinance which has been lauded to the skies by many of the members on the government side of this House. A part of the lands, the ownership of which is claimed by the Dominion, and out of which these provinces are being formed, has already been handed over as a free gift, without terms or conditions, to the province of Quebec. I refer to the 16,000 square miles which, in the words of the Prime Minister were 'declared to be a part of the province of Quebec,' though we say they were simply annexed or added to that province. There should be no more difficulty in declaring the lands in the new provinces to belong to our fellow citizens in those provinces than in declaring the lands lying north of Quebec to belong to our fellow citizens in Quebec. There is a very prevalent opinion in the Northwest that neither the good of the new provinces, nor that of the Dominion were the chief factors in shaping the government's policy in regard to the Crown lands. The impression is that the most potent motive for the retention of the lands was that it would enable the government to maintain an army of land immigration officials who would without cost to party funds act as the political mentors of those immigrants who come to our western lands without experience or knowledge of the politics of the country and are instructed to vote for the good Liberal party who brought them out and will give them patents for their land if they do as they are told. Such men can and do act as the political agents of the Liberal party. If the amendment I am about to propose is voted down, I trust the government will take most strenuous steps to prevent political interference by their officials. Let them provide a penalty for such interference and put it into the power of the ordinary citizen to invoke the law in such cases. As I understand from the debate just closed there are no land or immigration officials now in the Athabaska constituencies. I trust that the government will show their good faith by positively forbidding any Dominion official to enter that district until after the local elections. I beg to propose, in amendment to the amendment:

That subsection 1 of section 20 be struck out, and the following substituted therefor:

All lands, mines and minerals and royalties incident thereto situate or arising within the limits of the province and now vested in the Crown and all sums due or payable in respect of the same shall belong to the province subject to any trusts existing in respect thereof and to any interest other than that of the province in the same except those portions thereof now used or occupied for the public works, the public buildings or otherwise for the public service of Canada which are more fully set forth and enumerated in schedule 'C' to this Act, and which shall continue to be the property of Canada.

Mr. FITZPATRICK. I apprehend that this amendment will be moved again on the third reading, and I presume that it will be just as well that we reserve what we have to say in answer to the speech made by my hon. friend from Qu'Appelle (Mr. Lake) for that time. It is now a quarter past eleven. There are not many here interested in hearing what we have to say, and it would be just as well to reserve our remarks until the third reading. I think that even then it would be very difficult to add much to what has been said on the second reading.

Mr. R. L. BORDEN. As regards the amendment, it refers to the schedule, but the schedule, of course, we have not prepared. It will be prepared if the motion carries. The amendment is placed in that form simply for the purpose of reserving for the public use of Canada such portion of the public lands of the Territories as are absolutely necessary for that purpose. The language used has been selected altogether from the draft prepared by the government and from section 109 of the British North America Act. As far as the form is concerned, I do not think there can be any objection. As far as the principle is concerned, that has been somewhat fully discussed and will be discussd again on the third reading. My hon. friends behind me may have something to suggest.

Mr. FOWLER. I was not in the House when this matter was discussed before, but from reading the debates I have not been able to see any real cogent reason for this hardship, namely, the retention by the Dominion of the public lands within the limits of these two new provinces. It cannot be because these lands would be better administered by the Department of the Interior than they would be by the Crown Lands Departments of the new provinces. We have had some examples of the administration of the Northwest lands by the Department of the Interior. We have heard something of a company known as the Saskatchewan Land Company, which obtained from that department a very large block of valuable land for the beggarly sum of $1 per acre, which it is now offering for sale at from $8 to $12 an acre, and it obtained these lands without conditions of settlement such as would correspond at least to the tremendous profit it is making. I do not think any province could possibly do worse than the Department of the Interior did in that particular instance, and that is only one instance of maladministration out of many. Therefore, I fail to understand why these new provinces should be treated, as my hon.

friend from Qu'Appelle (Mr. Lake) says, in a different manner from the other provinces which were given control of their lands at the time of confederation. It seems to me that the argument brought forward for the giving of these Crown lands to the provinces is strong and unanswerable, particularly when we find that a territory consisting of a good many thousand square miles has been given to the province of Quebec by the Dominion. Will it be said that the people of that province are any more capable of administering the Crown lands thus given them from a territory belonging to the federal government than would be the new provinces of administering the Crown lands within their own borders ? That is not my opinion. I think that the people in these new provinces, except perhaps that portion which used to be the cause of considerable solicitude to the Minister of the Interior, are just as intelligent as any in any of the other provinces, and have just as much public spirit and regard for the welfare of their country. I fail to see on any ground why this distinction should be made. I fail to see why the new provinces should be deprived of the control of their own Crown lands. They have been given a sum of money in excess of what they would be entitled to according to population, and they have been given this as a sop for depriving them of their public lands and treating them as in that respect inferior to the other provinces. Had we had a splendid administration by the Department of the Interior, had there been no such scandal as the Northwest Land Company deal and others of the same sort, there might be some argument why these new provinces should not be allowed to administer their own lands, but in view of these scandals I fail to see how a case can be made out in favour of the government policy. Not only have the lands of this country been frittered away in the manner I have mentioned, but the timber has also been squandered in the same way, by being given largely to friends of the government for very small consideration. We have had the splendid timber reserves along the railway belt given away in the most corrupt manner. These are matters within the knowledge of almost every member.

Mr. INGRAM. Particularly of some.

Mr. FOWLER. Yes ; and these facts dispose at once of the argument that the administration of these Crown lands would be better entrusted to the federal government than to the new provinces. I shall therefore support the amendment offered by my hon. friend from Qu'Appelle (Mr. Lake). As far as the second part of this section is concerned, I consider it perfectly right. The Rocky mountain part should be under the control of the federal government ; but so far as the first clause is concerned, it is my firm belief that the Crown lands within the limits of the two provinces should be handed over to them.

Mr. M. S. McCARTHY. Having already stated my views as fully as I could regarding the retention of these Crown lands by the Dominion government, I shall not detain the committee at any length. But the reasons why the federal government wants to keep these lands are rapidly coming to light. One of the principal reasons, no doubt, is to maintain the large army of government officials who are up there to-day looking after the administration of these lands. Only a few evenings ago the Minister of the Interior stated that application were now in, south of township 34, for 500,000 acres of land under a close lease.

Mr. OLIVER. I said that there had been leases granted for about a million and a half, and there were further applications in for five million.

Mr. M. S. McCARTHY. What is the policy of the government ? Are these leases going to be granted to friends of the government and refused to others ? That is a burning question in that country to-day. I put the question fairly before the hon. minister the other night, and he answered that he would tell me when the proper time came. I desire to know when the proper time is coming. Applications are coming in from all quarters for closed leases in that country. Is the government going to grant large closed leases such as they granted two years ago for their own friends, covering thousands and thousands of acres of land ? Or, are all parties to be placed upon an equal footing ?

Mr. OLIVER. If it will ease the hon. gentleman's (Mr. M. S. McCarthy's) mind I may tell him that the fact that a gentleman has ever voted for a Liberal candidate will not debar his claims from consideration.

Mr. M. S. McCARTHY. That is what I charged. These lands are being retained for the purpose of being exploited by the friends of the hon. gentleman opposite. I ask again what is the policy of the government on this subject ?

Mr. OLIVER. I can tell the hon. gentleman (Mr. M. S. McCarthy) that the lands are not being retained for the purpose he suggests.

Mr. M. S. McCARTHY. I have only to say to the minister that if he makes the statement in this House with the idea of belittling the southern part of that province, when he says that 1,500,000 acres of land south of township 34 are fit only for pasturage, his statement is due to ignorance or worse. The people of that country are fairly entitled to know what is the policy of this government with regard to these lands. Do they intend to continue the closed lease system ? For some years past

the people were given to understand that the government would not grant any more closed leases. But cases have come out in which the government have granted leases to their friends. In the constituency of the hon. member for Alberta (Mr. Herron) there is a large tract of land, which, two years ago, was handed over, as I understand, to political friends of hon. gentlemen opposite, under lease for twenty-one years at a merely nominal rental. Is it the intention of the government to consider every application that comes in? Are they going to grant these closed leases, and so retard settlement in that country? If these leases are to be granted, upon what terms will they be granted—what length of time? What provision is to be made with regard to the termination of the leases? These are fair questions, questions in which the people of that country are greatly interested. The information on this subject is necessary in order to place all the people on the same footing and avoid the discrimination which has been shown in favour of men in the east against men who went into that country in days gone by, when hon. gentlemen opposite had no faith in that country.

Mr. OLIVER. I am not able to make a statement at this moment as to the policy of the government with regard to leases. I hope to make that statement soon. My hon. friend (Mr. M. S. McCarthy) will have to bear with me until I have had an opportunity to reach a decision as to what shall be done. I can only assure him of this—that there will be no advantage given to outsiders as against insiders—if I may be allowed those expressions. No advantage will be given to outside speculators as against local cattlemen—the hon. gentleman may depend on that.

Mr. M. S. McCARTHY. I have no desire to hurry the hon. gentleman (Mr. Oliver) in his decision. We realize that it is a very important matter and one that calls for grave consideration. Will the hon. minister say if any closed leases have been granted since he took charge of the Department of the Interior?

Mr. OLIVER. I am afraid I shall be obliged to ask the hon. gentleman to wait for a time. It will be possible for him to get a return of the leases that have been granted. I have not in mind everything that has been done by the department since I took hold of it, so I am not able to answer the hon. gentleman's question. Of course, it will be available to the hon. member—all the business of the department is available for the consideration of the House at any time.

Mr. M. S. McCARTHY. Surely the hon. gentleman (Mr. Oliver) knows whether any closed leases have been granted since he became Minister of the Interior. I am not asking with regard to a lot of 160 acres, or a township, or a section. Surely he can remember if any closed leases have been granted. All I ask is that all men in that country be treated equally; and if it is the policy of the government to grant these closed leases, he should let the people of that country know. Complaints have reached me from men who have large holdings in that country, who have been depending on neighbouring property as a range, and who find that closed leases have been granted to men who live hundreds and hundreds of miles away from the locality covered by those leases. All I want to know is whether any such leases have been granted, and surely the minister can remember.

Mr. OLIVER. I have been anxious to do what is right by that country since I took hold of the department. I found that regulations were in force permitting the granting of leases. While I did not feel that in continuing the granting of such leases the best would be done that could be done for the country, it seemed to me it would not be possible for me arbitrarily to break off arrangements that may have been entered in to by the department before I took office, merely because it happened that the bargain required my signature. But I can tell my hon. friend that no leases have been granted concerning which the initiatory steps——

Mr. R. L. BORDEN. No such leases have been originated?

Mr. OLIVER. No such leases have been originated since I took office. While I am ready to be held responsible for these things departmentally, I am not able to give the hon. member, off-hand, the information he asks for.

Mr. M. S. McCARTHY. Would the minister be kind enough to bring down a return showing what lands are under lease in the province of Alberta at the present time?

Mr. OLIVER. I may say that, in answer to a request of the hon. member for East Grey (Mr. Sproule), such a return has been prepared and I think it will be placed on the table of the House in a day or two.

Mr. FOWLER. What is the policy of the department with regard to the granting of closed leases? When an application comes in, is an examination made of the land to ascertain whether it is fit for agricultural purposes; or is a lease granted because application has been made?

Mr. OLIVER. There is an official, known as the inspector of ranches. When an application is made for a lease, he is instructed to inspect the territory applied for. And if he does not report that the land is suitable only for grazing, I understand that no lease is granted.

Mr. FOWLER. He goes over the land and inspects it, and it is on his report that the lease is granted ?

Mr. OLIVER. It may or may not be granted ; but it is a preliminary condition that the ranch inspector shall report the land as only fit for grazing in order for it to be leased. If it were agricultural land, it would be contrary to the regulations of the department to grant it as a grazing lease.

Mr. FOWLER. In case a portion of the land is fit for grazing and a portion suitable for agriculture what does the minister do ? Would you eliminate the agricultural part, and grant the lease over the grazing part ?

Mr. OLIVER. There have been no leases granted under my initiative taken since I entered the office. But my judgment would be that if any considerable portion of the agricultural land were included, leases would not be granted as grazing leases.

Mr. HERRON. I desire once again to place myself on record in regard to this amendment. I have not heard any sufficient reason put forward why the Dominion government should retain control of the lands instead of handing them over to the provinces. I think we are just as capable of dealing with the lands as are the people of any other province. We have put in as strong a protest as we can. I think we ought to be granted full autonomy in regard to the lands, also in regard to the control of our school system.

Amendment (Mr. Lake) negatived, and section 20 as amended, agreed to, and schedule as amended agreed to.

Mr. FITZPATRICK. This disposes of the Alberta Bill, with the exception of sections 2 and 16, and also the section which will be section 25, the date at which the Act is to be brought into force. To-morrow we will take up sections 2 and 16.

Mr. LAKE. Will the minister kindly bring down for each of the local constituencies in the province of Saskatchewan the numbers of votes cast and the names on the voters' lists, as was done in the case of Alberta ?

Mr. OLIVER. I think I will be able to lay a copy of them on the table to-morrow.

Progress reported.

On motion of Mr. Fielding, House adjourned at 11.45 p.m.

HOUSE OF COMMONS.

WEDNESDAY, June 28, 1905.

The SPEAKER took the Chair at Three o'clock.

QUESTIONS.

PARLIAMENTARY CARPETS.

Mr. OSLER—by Mr. Taylor—asked :

1. What is the quantity, quality, make and value of carpets purchased by the government for use in both Houses of parliament for each of the past two years ?
2. What quantity came in free of duty ?
3. Were any of the carpets purchased made in Canada ?

Hon. C. S. HYMAN (Minister of Public Works). In so far as the Department of Public Works is concerned, the following is a statement of facts : Amount expended, $1,043.87 ; number of yards of carpet purchased, 459, ranging from 69 cents to $1.75 per yard. Linoleum purchased, 318⅓ yards at $1.15 and $1.28 per yard ; also 7 rugs ranging from $19.75 to $25, and 3 stair carpets at $2.35 each. All the above purchased in Canada, but the department does not know whether they were made in Canada.

As to House of Commons carpets—

1. The quantity, quality, make and value of carpets are as follows :—

		Fiscal Year 1903-4.	Per Yd.
36½	yards	Tapestry, at.	$1 05
1	"	Brussels, at..	1 25
108	"	Axminster, at..	1 50
1¾	"	Wilton, at..	1 75
23	"	Brussels stair carpet at	2 25
1¾	"	Brussels stair carpet at	2 25
22½	"	Cork carpet, at..	1 25
		Fiscal Year 1904-5.	
26¾	"	Brussels, at..	$1 15
20	5-6"	Brussels, at..	1 05
57	"	Brussels, at..	1 35
27	"	Brussels, at..	1 35
2¾	"	Brussels stair carpet, at	2 25
86	"	Wilton, at..	1 75
30	"	Brussels, at..	1 50

2. None.
3. No information.

Mr. FOSTER. Would my hon. friend not think it fair to get the information he is lacking ? It could easily be obtained.

Mr. HYMAN. I shall endeavour to do so. These carpets are not bought from the manufacturers, and to do so would necessitate in each case a particular inquiry. But if the hon. gentleman desires it, I hope to be able to get the information.

Mr. FOSTER. That is what my hon. friend from Toronto (Mr. Osler) wants.

MR. J. G. TURRIFF.

Mr. FOSTER asked :

1. When did J. G. Turriff become an employee of the government ?
2. In what capacities has he from time to time been employed, and at what salary in each case?
3. What was his position, and what his duties, when employed in the department at Ottawa ?
4. When did his connection cease with the department at Ottawa ?

5. Has he since that date been performing any services whatever in connection with the government ? If so, what ?

Hon. FRANK OLIVER (Minister of the Interior) :

1. On the 8th of July, 1898.
2. In the capacity of Commissioner of Dominion Lands, at a salary of $3,000 per annum.
3. As Commissioner of Dominion Lands, he had, under instructions from the Minister of the Interior, general charge and supervision of the lands branch of the Interior Department.
4. On the 10th February, 1904.
5. No.

Mr. FOSTER. Does the hon. minister know whether the duties of Mr. Turriff included scrip duties of any kind ?

Mr. OLIVER. I am under the impression that the handling of scrip is rather a separate special branch directly under the deputy minister, and not under the Commissioner of Dominion Lands.

Mr. FOSTER. What I would like to know is through whose hands go the applications for the issue of scrip, which and who makes the final signature ?

Mr. OLIVER. Mr. N. O. Côté is the officer specially charged with the scrip department, and I think the signature is that of the deputy minister.

SASKATCHEWAN VALLEY LAND COMPANY.

Mr. FOSTER asked :

What official or officials of the department authorized, or made the issue of, the patents to the Saskatchewan Land Company, on evidence of homestead entries instead of actual settlement, as stated in speech of Clifford Sifton, Minister of the Interior, as recorded in 'Hansard' of 1904, page 7035 ?

Hon. FRANK OLIVER (Minister of the Interior). Patents have been issued to the Saskatchewan Valley Land Company for 149,450·21 acres of land sold to that company with settlement conditions. Such patents were issued on the authority of the Commissioner of Dominion Lands.

The officials of the department are unable to find in the 'Hansard' page mentioned the statement attributed to the Hon. Mr. Sifton.

PROVINCIAL GOVERNMENT IN THE NORTHWEST.

Mr. OLIVER. Before the Orders of the Day are called, I beg to lay on the table certain information as to population and other matters relating to the constituencies of the new province of Saskatchewan ; also certain proposed amendments to the schedule ; also certain maps with the suggested amendments marked on them.

Mr. FOSTER.

Mr. R. L. BORDEN. Are the proposed amendments material ?

Mr. OLIVER. They are to this extent, that they give the city of Moosejaw a member and join three constituencies in the northern part of the province into two.

Mr. R. L. BORDEN. I was about to say that as some alleged misunderstanding referred to by my right hon. friend the Prime Minister, was put forward as one of the causes for adopting the very extraordinary schedule contained in the Bill for the establishment of the province of Alberta, there need be no excuse of that kind so far as the province of Saskatchewan is concerned, because we are willing to enter into a conference with regard to these schedules. As I understand from my hon. friends who have examined them as they were originally—I do not know what they are now—of even a more extraordinary character than those in the Alberta province.

Sir WILFRID LAURIER. I am very glad to have the suggestion of my hon. friend, and will immediately confer with my hon. colleague (Mr. Oliver) for the organization of a committee to take the Saskatchewan schedules and dispose of them. I do not agree that they are of a more extraordinary character than those of the province of Alberta. Both adhere very closely to the present condition of things.

Mr. R. L. BORDEN. It was a surprise to me to learn that they are of a more extraordinary character than those of Alberta, for I did not suppose that possible.

Sir WILFRID LAURIER. Then my hon. friend's surprise is equalled by my own.

RICHELIEU BRIDGE AT SOREL.

Hon. H. R. EMMERSON (Minister of Railways and Canals). The hon. member for North Toronto (Mr. Foster) a day or two ago asked for copies of the report of the chief engineer and the report to council thereon in connection with the Sorel bridge. He also asked for other papers in connection with the same work. I find in the Auditor General's Report of 1900, page A—65 and following pages, all these papers are published except the report of the chief engineer, and this report I now submit to the House.

PROVINCIAL GOVERNMENT IN THE NORTHWEST.

House in committee on Bill (No. 69) to establish and provide for the government of the province of Alberta.—Sir Wilfrid Laurier.

Mr. R. L. BORDEN. I suppose that the Minister of Justice has not yet come to a conclusion about the proposed amendment

to section 15. That will stand for the present ?

Mr. FITZPATRICK. I have a report which will help to elucidate the point involved which I will send to my hon. friend.

On section 16—legislation respecting education.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister). When I presented this Bill to the House some few weeks ago, I stated that, at the proper moment, in Committee of the Whole, I would ask leave to substitute another clause of which I gave notice. I now beg to move that amended clause as follows:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901.

2. In the appropriation by the legislature or distribution by the government of the province of any moneys for the support of schools organized and carried on in accordance with said chapter 29 or any Act passed in amendment thereof, or in substitution therefor, there shall be no discrimination against schools of any class described in the said chapter 29.

3. Where the expression ' by-law ' is employed in subsection 3 of the said section 93, it shall be held to mean the law as set out in said chapters 29 and 30, and where the expression ' at the union,' is employed, in said subsection 3, it shall be held to mean the date at which this Act comes into force.

The House, perhaps, expects—at any rate it has the right to expect—that on this occasion I shall present a somewhat full statement of the reasons which have induced the government to substitute the clause which has just been read for the clause introduced in the Bill. Perhaps it would not be amiss then, if I look at the subject from a larger point of view and endeavour to give a resume of the why and wherefore of this clause in its original and in its amended form. The Conservative party has taken the position upon this question that the government are invading provincial rights. When I say that the Conservative party has taken this position, perhaps I make a mistake ; perhaps I should not use so wide and general an expression, because it happens that upon this question the Conservative party has no policy. It is not too much to say that on this question the Conservative party is an assembly of contradictory opinions without any separate idea upon what to rally. When my hon. friend the leader of the opposition (Mr. R. L. Borden) spoke upon the second reading of the Bill he was careful to state—he made haste to state—that he was only speaking for himself, that the Conservative party had no policy upon this important question, and that every man in the party was at liberty to follow his own inclination and to vote as he thought best. Evidently the Conservative party had renounced the idea of having a policy which, as a party, they could present to the House. It is true that after that, one important section of the party took the ground that I have just stated—that the government, in introducing this legislation violated the principle of provincial rights. The answer I have to offer to that assertion, the simple answer, the categorical peremptory and paramount answer, is that in matters of education there is no such thing under our constitution as absolute provincial rights.

Now, Sir, I make that statement deliberately. It is a statement which has some importance, and in making it I do not wish to be misunderstood. My contention has been and my contention is to-day, that upon this important matter of education, there is no such thing, under the constitution under which we live as absolute, independent right, but that the rights of the provinces in this matter are limited by the very letter of the constitution.

Let us turn to the book of the constitution and look at the clauses which define the powers of the central government and the powers of the local governments. Let us look first at section 91 which defines the powers of the central government. It is as follows :

It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons to make laws for the peace, order and good government of Canada in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the legislatures of the provinces ; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section it is hereby declared that (notwithstanding anything in this Act) the exclusive legislative authority of the parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated, that is to say :

And then follows the enumeration. Let us now look at section 92 which defines the powers of the provinces :

In each province the legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated ; that is to say :

And no exception is given. There are sixteen subjects enumerated as follows :

1. The amendment of the constitution of the province, except as regards the office of Lieutenant Governor.

2. Direct taxation within the province in order to the raising of a revenue for provincial purposes.

3. The borrowing of money on the credit of the province.

4. Provincial offices.

5. The management and sale of public lands belonging to the province.

6. Public and reformatory prisons in and for the province.

7. Hospitals, asylums, charities, and eleemosynary institutions in and for the province other than marine hospitals.

8. Municipal institutions in the province.

9. Licenses

10. Local works and undertakings other than those extending beyond the limits of the province or are declared by the parliament of Canada to be for the general advantage of Canada.

11. The incorporation of companies with provincial objects.

12. Solemnization of marriage in the province.

13. Property and civil rights in the province.

14. The administration of justice in the province, including the constitution, maintenance and organization of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts.

15. The imposition of punishment by fine, penalty or imprisonment, and generally, all matters of a merely local or private nature in the province.

Not a word here about education. Now, let us look at the following section, section 93, that deals exclusively with education, and see what are the powers of the provinces with regard to education.

In and for each province the legislature may exclusively make laws in relation to education, subject and according to the following provisions :

Here, therefore, are qualifications to the exclusive power of the legislature to make laws. They are thus defined:

Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

2. All the powers, privileges and duties at the union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects, shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec.

3. Where in any province a system of separate or dissentient schools exists by law at the union or is thereafter established by the legislature of the province, an appeal shall lie to the Governor General in Council from any act or decision of any provincial authority affecting any rights or privileges of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

4. In case any such provincial law as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor General in Council under this section.

Here are the qualifications: If a province is admitted with a system of denominational or separate schools, the provisions of section 93 at once apply, the powers of the province are at once limited. If it comes in without any separate schools, then the provisions of section 93 do not apply. But if that province, in the exercise of its legitimate authority, adopts separate schools, forthwith section 93 applies, and the powers of that province become limited. The legislature has power to pass a law establishing separate schools, but it has no power to abolish them, and that power becomes at once subject to the provisions of this Bill. I say, therefore, that there is no such a thing under our constitution, in matters of education, as absolute provincial rights. Speaking upon this subject on the second reading of the Bill my hon. friend (Mr. R. L. Borden) quoted some remarks of mine in which I deprecated the interference of the Dominion with provincial legislation. If my hon. friend will do me the honour to study the opinions I have expressed on this subject since I have been in parliament, he could have quoted much more in the same line, and expressing the same views. More than once upon the floor of this House I have compared, upon this subject and other subjects, our constitution with the constitution of the United States; and whilst in general terms I have always maintained that in many respects our constitution is superior to the American constitution, my opinion has never varied that upon this subject, namely, the respective powers of the federal and state governments, the American constitution is far superior to our own. Under the American system the powers of each government, both the federal and the state, are clearly defined, so that there can be no overlapping by one over the other, and no supervision of the one over the other, except the judicial authority which keeps each one in check. Unfortunately such has not been our system ; unfortunately, I say, the fathers of confederation, for good and sufficient reasons, I am sure, reasons which I understand and appreciate, came to a different conclusion, and did not make an absolute separation between the local powers and the powers of the central government, but in a number of cases allowed them to overlap each other, though in all cases they made the powers of the legislature subject to the power of the central government; and in some cases, as in this one, they made special provision that the powers of the legislature, under certain circumstances, were subject to supervision by the central government. The fathers of confederation, I say, for good and sufficient reasons, came to that conclusion. Now, it has been stated, and I believe it is true, that it would not have been possible at that time to accomplish the project of confederation unless this provision had been inserted in the constitution. But my hon. friend on the occasion I have referred to, expressed the idea that the restrictions which are contained in the British North America Act and which curtail the powers of the legislature in matters of education, must be and are confined by the letter of the constitution to Quebec and Ontario alone. In order that I may do my hon. friend no injustice, and

that I may give him the benefit of his views then expressed, I will quote from what he said on that occasion, as found in the unrevised 'Hansard,' page 3108:

The very basis of confederation, contemplating the eventual inclusion of all British North America, provided for separate schools in the provinces of Ontario and Quebec only. This provision was the result of compact and agreement. But no restrictions on provincial powers were contemplated in the Northwest. None are mentioned in the Quebec resolutions. The terms of the constitution, if applied in their integrity to the new provinces, do not, in my humble opinion, restrict the powers of the provincial legislature.

Now, I say to my hon. friend it is quite true that in the Quebec resolutions Quebec and Ontario alone are mentioned. But, Sir, the Quebec resolutions are not the British North America Act, the Quebec resolutions were simply the basis of the British North America Act, and there are several particulars in which the British North America Act differs from the Quebec resolutions. Several provisions were introduced in the British North America Act which were not found in the Quebec resolutions. Let me give a case in point. Section 80 of the British North America Act reads as follows :

The legislative assembly of Quebec shall be composed of sixty-five members, to be elected to represent the sixty-five electoral divisions or districts of Lower Canada in this Act referred to, subject to alteration thereof by the legislature of Quebec : Provided that it shall not be lawful to present to the Lieutenant Governor of Quebec for assent any Bill for altering the limits of any of the electoral divisions or districts mentioned in the second schedule to this Act, unless the second and third readings of such Bill have been passed in the legislative assembly with the concurrence of the majority of the members representing all those electoral divisions or districts, and the assent shall not be given to such Bill unless an address has been presented by the legislative assembly to the Lieutenant Governor stating that it has been so passed.

The counties or districts here mentioned are thus enumerated:

Pontiac, Ottawa, Argenteuil, Huntingdon, Misissiquoi, Brome, Shefford, Stanstead, Compton, Wolfe and Richmond, Megantic, Town of Sherbrooke.

These are the counties which are known in that province as the English-speaking counties, and a provision was there inserted that the boundaries of these twelve counties could not be altered by the Quebec legislature except with the concurrence of the representatives of those twelve counties. That provision was not in the Quebec resolutions, that was a disposition introduced at Westminster into the British North America Act for the greater protection and security of the Protestant minority in Quebec. Therefore, I say that there are several things in the Quebec resolutions which are not to be found to-day in the British North America Act. It is quite true that the Quebec resolutions referred, and referred only, to the provinces of Ontario and Quebec. The Quebec resolution with regard to education was this :

The local legislatures shall have power to make laws respecting the following subjects : education, saving the rights and privilege which the Protestant and Catholic minority in both Canadas may possess as to their denominational schools, at the time when the union goes into operation.

However, that is not the language of the British North America Act ? There is a disposition in the British North America Act in respect to the provinces of Ontario and Quebec, but there is also another disposition. There is this disposition :

In and for each province the legislature may exclusively make laws in relation to education, subject and according to the following provisions :

(1) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

These words, I grant, were not in the Quebec resolutions. They have not been imported from the Quebec resolutions into the British North America Act. Are we to be told that they are simply for ornament? Are we to be told that they have no meaning ? Are we to be told that these words are not to be read as if they were in the Act although they are in the Act ? It seems sufficient only to state such a question to have an answer. If those who do me the honour of listening to me at this moment will go back to the year 1866, to the month of November and to old London, they will find a number of men engaged in a very important work. Who are these men ? They are the delegates from the provinces of old Canada, Nova Scotia and New Brunswick and they are engaged in the task of preparing the Act which is to be submitted to the Imperial parliament which is to become the charter of the Dominion of Canada and which is to give it new life and existence. We know that one of the delegates on that important mission was Mr. Galt and we know by the debates which have already taken place in this House that Mr. Galt was there as the special representative of the Protestant minority of Quebec. We know by the debates which have already taken place and by the language of Mr. Galt which has been quoted in this House that he was not satisfied with the Quebec resolution, that he was not satisfied with what my hon. friend has called the compact, that he thought the Quebec resolution did not convey to his co-religionists and fellow countrymen of the English speaking language all the security to which they were entitled. We know that it was his intention, because he had so stated be-

fore he left, to have this Quebec resolution implemented in order to give more security and a greater guarantee in matters of education to his co-religionists in Quebec. We know that he wanted to make them absolutely independent of the majority in that province. We know also by the book which has been written by Mr. Pope on this subject and which has been more than once quoted in this House, that Mr. Galt is the author of this paragraph of section 93, which reads as follows :

All the powers, privileges, and duties at the union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects, shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec.

That is the drafting of Mr. Galt. We know that the two next sections which give the right of appeal to the minority if they fail to agree with the decision of the majority are also of Mr. Galt's drafting. We do not know who is the author of the first subsection which I have read, but if we want to know the spirit of this resolution and the object for which it was moved we have only to go to the preamble of the Act which is in these words :

Whereas the provinces of Canada, Nova Scotia and New Brunswick have expressed their desire to be federally united into one Dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a constitution similar in principle to that of the United Kingdom :

And whereas such a union would conduce to the welfare of the provinces and promote the interests of the British Empire :

And whereas on the establishment of the union by authority of parliament it is expedient, not only that the constitution of the legislative authority in the Dominion be provided for, but also that the nature of the executive government therein be declared :

And whereas it is expedient that provision be made for the eventual admission into the union of other parts of British North America :

Be it therefore enacted and declared.

What is enacted ? What is declared ? The rules and regulations, the principles and exceptions to principles which were thought at that time by the fathers of confederation to be necessary not only for the organization into confederation of the provinces then in existence, but for the admission into the confederation at a later stage of other provinces when other provinces were to come in. Such was at that time the policy of the Conservative party ; such was the policy of the Liberal party ; such was the policy of Sir John Macdonald; such was the policy of Geo. Brown. It is the policy to-day of the Liberal party, but what is the policy to-day of the Conservative party ? What has become of the traditions of Sir John Macdonald in that respect ? If Sir John Macdonald were to come into this House to-day would he recognize his party which has so far departed from the principles laid down on that occasion ? If this position be the true one, if this is the spirit in which we must read the situation, then I ask : How is this section 93 of the British North America Act to be introduced into the new constitution of this new province ? Is it to come in automatically, is it to come in mechanically, or is it to come in legislatively ? Is it, in other words, to be introduced in the way in which we are about to introduce it, that is by the Act and by the vote of this parliament ? Certainly it is to be introduced by the vote of this parliament, but because it is to be introduced by the vote of this parliament, because it is submitted to the members of this House to vote upon it I understand my hon. friend to say that therefore we are not constitutionally bound, and that we can vote as we please either one way or the other.

Mr. R. L. BORDEN. Is my right hon. friend referring to me ?

Sir WILFRID LAURIER. I thought so.

Mr. R. L. BORDEN. What did he say my position was ?

Sir WILFRID LAURIER. I thought my hon. friend took the ground that it was a matter of policy and not of constitutional right, that we could vote as we pleased regarding the introduction of section 93.

Mr. R. L. BORDEN. I would like to have my right hon. friend quote any portion of my remarks bearing out that suggestion.

Sir WILFRID LAURIER. I will not quote anything. If my hon. friend disclaims that position I accept it at once. If my hon. friend says we are bound constitutionally then I accept the disclaimer and I am very glad my hon. friend's position is clear upon that point. I understand we are bound constitutionally to adopt that position. At all events that is my position.

Mr. R. L. BORDEN. I have stated over and over again in this House, at least twenty times, I would think, that in my opinion we are obliged to apply to the new province the provisions of the British North America Act regarding the distribution of legislative powers.

Sir WILFRID LAURIER. That is not a very, very categorical answer, I think. That is rather equivocating upon this subject. We are bound to have a distribution of legislative powers, certainly. But, what is the legislative power of these new provinces in regard to education ? Is it absolute or is it not absolute ? Is it absolute or is it limited ? In my estimation it is limited. Does my hon. friend say the contrary ?

Mr. R. L. BORDEN. It is that power conferred by the provisions of the British North America Act as embodied in section 93 having regard to the condition of the pro-

vince at the time it is created into a province.

Sir WILFRID LAURIER. Very good. Then I understand that the position taken by my hon. friend (Mr. R. L. Borden) is that the provinces come in with their legislative authority, with their school legislation, and that we are bound by the constitution to apply that school system. That is all my theory ; I never went further than that. We are bound to apply the system which is now in force, the only difficulty that there is now will be to ascertain what is the system in force in the Territories which we are going to make into provinces. But, Sir, although my hon. friend to-day takes a position which is somewhat ambiguous, for my part I take the ground that we are bound constitutionally at this table to insert legislative provisions which will make the system of schools which exists in the Northwest Territories to-day absolute and beyond the purview and the powers of the legislature. That is to say, we are bound to apply the principles of the constitution.

Mr. R. L. BORDEN. Does my hon. friend claim that we should do that even if, in doing so, we go beyond section 93 ?

Sir WILFRID LAURIER. My contention is that we must not go beyond section 93.

Mr. R. L. BORDEN. Then why do you ?

Sir WILFRID LAURIER. We do not, because we must remain within it, as I shall point out by-and-by. If all the question between myself and my hon. friend (Mr. R. L. Borden) is that we must apply section 93, a great deal of ground that has been obscure is now clear. I am only sorry this was not known three or four weeks sooner; it would have saved a good deal of turmoil if we had known it.

Mr. R. L. BORDEN. Let me say to my hon. friend that I shall ask him before the conclusion of the session this afternoon to vote for a motion to that effect.

Sir WILFRID LAURIER. I shall wait for this motion of my hon. friend. I know something of it and I shall tell him that he will not escape in this way. These clauses contain what is to apply in the Northwest Territories, not in the way my hon. friend wishes to move, as I shall show him presently when we come to discuss his motion. But at all events I shall be spared a good deal of the argument which I intended to make upon this subject since we are agreed that it is the provisions of section 93 which must apply. We come now to the question of what is involved in this proposition, but we have to apply section 93. What is the system which prevails to-day in the Northwest Territories ? because, as I understand, the contention of both my hon. friend and myself is that we must apply the system which exists in the Northwest Territories, and then my hon. friend will see by-and-by, that he is not on very safe ground in the proposition he wants to make, which I see looming up, but which I shall not define now.

Mr. R. L. BORDEN. My right hon. friend curiously misquotes me. I said we were to apply the provisions of the British North America Act in which the constitution of this country is embodied.

Sir WILFRID LAURIER. Very good. This is delightfully indefinite, delightfully uncertain; I want to come to facts, to pure certainty which we can understand and apply. I wish to say to my hon. friend (Mr. R. L. Borden) and to show him presently that the condition of things is not so clear as he seems to imagine and to think. We thought ourselves that we were on pretty safe ground when we reproduced in this Bill the provisions of the Act of 1875, introduced by Alexander Mackenzie in this House, in which the system of separate schools was made the organic law of the Northwest Territories. We reproduced in clause 16 of the first Bill the provisions of that Act ; we thought, as I said, that we were on safe ground, but on a closer examination of the subject we came to the conclusion that it was very much involved and would require a little more attention that we had given to this matter. The Act of 1875, I may observe, which is the organic law of the provinces up to this moment, was not a school Act, it was simply an organic law. It did not pretend to frame a school law for the Territories, it did not pretend to enact a school system, it simply put forth certain rights which were to be pilots to the legislative power when it came to exercise its authority. It imposed certain restrictions on the legislative powers of the Territories which they were bound to observe. Now what were these restrictions? I cannot do better than give the very words of the Act itself. The Act stated this :

> The legislature of the said province shall pass all necessary laws in respect of education, and that it shall therein always be provided :
> (a) That a majority of the ratepayers of any district or portion of the said province or of any less portion or subdivision thereof, by whatever name it is known, may establish such schools therein as they think fit, and make the necessary assessments and collection of rates therefor, and (b) that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and make the necessary assessment and collection of rates therefor, and (c) that in such case the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessment of such rates as they impose upon themselves with respect thereto.

The principle there is clearly laid down that where the majority or the minority, whether Protestant or Catholic, shall have

the power to establish such schools as they think fit. Now these words are important to remember. Under that organic law a system of schools has been established in the Northwest Territories by a series of legislative enactments, the last expression of which is to be found in the ordinances of the year 1901. It may not be unimportant however, with a view of observing and understanding the present character of the legislation in that respect which is now in existence in the Northwest Territories, to trace from the commencement the history of the development that has taken place and has resulted in the present school system. The first law which we find was an ordinance passed in 1884. This law had several important provisions. Perhaps the most important of all was that there was to be a council of education, a board of education to be composed of not more than 12 members, 6 of whom were to be Roman Catholics and 6 of whom were to be Protestants; that the board of education was to be divided into two sections, the Protestant section and the Catholic section; that each section was to have under its jurisdiction and control the management of the schools of its own denomination, the Roman Catholic section was to have under its control the management of the Roman Catholic schools and the regulation of their discipline; it was to arrange for proper examinations, guiding and licensing of teachers, to select the books to be used in the schools provided that in the case of all books having reference to religion and morals, such selection should be subject to the approval of a competent religious authority, to appoint inspectors. That was the complete power of supervision of the schools given to the Roman Catholic section of the board of education. The same thing was provided for the Protestant subsection. Another important provision was that a school district could be formed on the petition of a certain number of ratepayers within a certain area and that all schools were to be organized at once either as Protestant or Roman Catholic public schools. Another important provision was that with regard to religious instruction, that when a school system had been organized, a separate school could be organized by the minority. Another important point was that all religious instruction was to be at a certain hour under certain conditions :

No religious instruction, such as bible reading, or reciting, or reading or reciting prayers (except as hereinafter provided), or asking questions or giving answers from any catechism, shall be permitted in any public school in the Territories, from the opening of such school at nine o'clock in the forenoon, until the hour of three o'clock in the afternoon, after which time any such instruction, permitted or desired by the trustees, may be given.

Section 86 provides :

Any child attending any school, whose parent or parents or guardian, is or are of the religious faith different from that expressed in the name of such school district, shall have the privilege of leaving the school room at the hour of three o'clock in the afternoon or of remaining without taking part in any religious instruction that may be given, if the parents or guardian so desire.

This school ordinance remained without any substantial alteration until the year 1887, when an important amendment was made, and in the following year, 1888 another was made in the same line, by which the provision of the Act of 1884 which required that all schools when first organized should be either Protestant public schools or Roman Catholic public schools, was repealed, and a provision was made to the contrary, namely, that all public schools should be at once organized as public schools quite independent of the religious faith of the majority. No important amendment took place afterwards until the year 1892, when a very important amendment was made. By that amendment the board of education was reorganized on absolutely different lines. The members of the executive committee and four other persons, two Protestants and two Catholics, appointed by the Lieutenant Governor, were to constitute a council of public instruction. There was to be no subdivision of the council into Protestant and Roman Catholic subsections as was previously the case. There was to be only one school board, which was to have the control and management of all schools established under the Act, that is to say, public schools, separate schools, kindergartens, normal schools and teachers' institutes. That remained in force until 1901, when it was consolidated with practically no change, except that there is to-day a Department of Education, which is a department of the government, over which presides one member of the executive council, with the assistance of the council of education. That is the law of the land to-day ; it is the law which is to be perpetuated, and therefore it is important that we should know what it is. Let me recapitulate the provisions of this law. By the ordinance of 1901 there is a department of the government known as the Department of Education which is presided over by a member of the executive council, with the assistance of the educational council appointed by the Governor in Council. That Department of Education has the absolute control of education without any interference at all from anybody else, whether with regard to public schools or separate schools. Public school districts are to be organized, and there may be separate schools. Then there may be religious education, and as it is important that we should know exactly what that is, let me quote from the Act in regard to it :

137. No religious instruction except as hereinafter provided shall be permitted in the school of any district from the opening of such school until one-half hour previous to its clos-

ing in the afternoon, after which time any such instruction permitted or desired by the board may be given.

2. It shall, however, be permissible for the board of any district to direct that the school be opened by the recitation of the Lord's prayer.

138. Any child shall have the privilege of leaving the school room at the time at which religious instruction is commenced, as provided for in the next preceding section, or of remaining without taking part in any religious instruction that may be given if the parents or guardians so desire.

Let me observe with regard to this legislation that, so far as religious instruction is concerned, in my humble judgment there is no departure whatever from the principle laid down in the law of 1875, and therefore the majority or the minority in any district in the Territories can have such religious instruction as they think fit. They can have it or not have it, as they think fit; it is for them to say; there is no interference from anybody. But with regard to secular education, it is not the same. The whole subject of secular education, including the certification of teachers, the inspection of schools and the selection of books, is under the control of the board of education. In this the Roman Catholic minority of the Northwest Territories have seen a serious departure from the privilege which was guaranteed to them by the law of Mr. Mackenzie of 1875; and it is not to be supposed that this departure would have taken place without serious protests and remonstrances and even some commotion. I may say that Sir John Thompson, the Minister of Justice, when he came to review the legislation of 1887 and 1888, expressed the opinion that the law which had been passed by the legislature in those two years was a departure from the principle which had been laid down in the Act of Mr. Mackenzie, in so far as the organization of school districts was concerned. This is the language in which he put forth his views:

Section 14 of the Northwest Territories Act, chapter 50, Revised Statutes of Canada, provides that ordinances in respect of education may be made in the Territories, but stipulates that in such ordinances it shall 'always be provided that a majority of the ratepayers of any district or portion of the Territories, by whatever name the same is known, may establish such schools therein as they think fit, and make the necessary assessment and collection of rates therefor, and also that a minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein.

The ordinance respecting schools does not contain the provisions that the statute requires it to contain, but merely contains the provision that the minority may establish a separate school in an unorganized public school district, thus placing the minority at the mercy of the majority, and only giving the minority the right to establish a separate school, if the majority think proper to organize a public school. It is necessary to point out that the provisions of the Northwest Territories Act, before cited, cannot be abridged by the ordinance, and must be considered as still in force, notwithstanding the restrictive terms of the ordinance. In so far as it is attempted by the ordinance to declare the meaning of the Northwest Territories Act, the ordinance fails of that purpose, and is objectionable, as being an interpretation by an inferior legislative body of the acts of its superior.

The undersigned only refrains from recommending the disallowance of this ordinance, in consequence of its being merely a re-enactment of an earlier ordinance, which disallowance would not affect, and which was allowed to go into operation, probably because attention was not called to this provision. The undersigned has the honour to recommend that the ordinance bringing these revised ordinances into effect, be allowed to go into operation.

When the ordinance of 1892 was passed, abolishing the dual control of schools through a Protestant subsection and a Roman Catholic subsection of the educational council, the Roman Catholic minority sent to Ottawa a very strong and I may say rather vehement protest. They alleged that by that Act the privileges and the rights which had been conferred on them had been invaded and abridged. They spoke in these terms:

Until the 31st December, 1892, there was in force in the Territories an ordinance, passed in pursuance of the above mentioned provision of the Northwest Territories Act, which contained the following provisions:

The Lieutenant Governor in Council may appoint and constitute a board of education for the Northwest Territories composed of eight members to hold office for two years and until their successors are appointed, five of whom shall be Protestants and three shall be Roman Catholics. (Revised ordinance, chapter 59, section 14.)

Provision was also made in the said ordinance prescribing the duties of the board of education in respect of all schools under their management. (Section 10.)

The said ordinance contained also the following provision:

The board of education shall resolve itself into two sections, the one consisting of the Protestant, and the other of the Roman Catholic members thereof; and it shall be the duty of each section:

(a) To have under its control and management the schools of its section, and to make from time to time such regulations as may be deemed fit for their general government and discipline, and the carrying out of the provisions of this ordinance.

(b) To select and prescribe a uniform series of text books.

(c) To appoint inspectors who shall hold office during the pleasure of the section appointing them.

(d) To cancel the certificate of a teacher upon sufficient cause.

The said ordinance contained also the following provision: Each section of the board shall have the selection of the text books for the examination of teachers in history and science, and it shall have power to prescribe any additional subjects of examination for the teachers of the school of its section, and in all examinations on such subjects the examiners of each

section shall respectively have exclusive jurisdiction.

The system indicated above for the management of the schools operated with entire harmony and to the general satisfaction of all connected with the active work of education in the Territories.

On the 31st December, 1892, there was passed by the legislative assembly of the Territories ordinance No. 22 of 1892, intituled 'ordinance to amend and consolidate as amended the ordinances respecting schools,' whereby all previous ordinances relating to education were repealed.

The last mentioned ordinance contains the following provision :

The members of the executive committee, and four persons, two of whom shall be Protestants and two Roman Catholics, appointed by the Lieutenant Governor in Council, shall constitute a council of public instruction, and one of the executive committee, to be nominated by the Lieutenant Governor in Council, shall be chairman of the said council of public instruction. The appointed members shall have no vote.

Then the petition goes on :

By the said ordinance there is vested in the council of public instruction not only the powers and authority which, by the previously existing ordinance, were vested in the board of education as a whole, but also the powers and authority thereby vested in each section thereof.

Then the petition continues :

For the reasons aforesaid, your petitioners protest and declare concerning the said school ordinance No. 22 of 1892, of Northwest Territories, and the regulations of council of public instruction made in pursuance thereof :

(a) That the said ordinance, and the said regulations prejudicially affect the rights and privileges of your petitioners, and all other of Her Majesty's Catholic subjects in the Territories, in relation to education.

And they pray as follows :

That your Excellency may be pleased to disallow ordinance No. 22 of 1892, of the Northwest Territories.

Alternatively your petitioners appeal to your Excellency in Council from the said ordinance and from the regulations of the council of public instruction passed in pursuance thereof, and pray that the legislative assembly and the council of public instruction be ordered and directed to repeal or amend the said ordinance and regulations, so as to eliminate therefrom the provisions thereof above objected to, and that such further and other relief in the premises may be rendered as the circumstances require and admit.

This petition was referred to a sub-committee of the council, and that sub-committee reported as follows. I need not read it all but will give only the conclusion :

The Committee of the Privy Council regret that the change made in the ordinances relating to education should have been such as to cause, even unwittingly, dissatisfaction and alarm on the part of the petitioners, and they advise that communication be made to the Lieutenant Governor of the Northwest Territories, urgently requesting that the complaints set forth by the petitioners be carefully inquired into, and the whole subject be reviewed by the executive committee and the Northwest assembly, in order that redress be given by such amending ordinances or amending regulations as may be found necessary to meet any grievances or any well-founded apprehensions which may be ascertained to exist.

However these suggestions, though communicated to the assembly, were not taken into consideration, and the law has remained from then until now as it was then. That is to say, after 14 years the law is the same in 1905 as it was in 1892. I must say also that the views of the minority were not pressed further by them. They did not go to the courts, the law was not disallowed, the minority rather submitted to the condition of things imposed on them. They accepted loyally that condition of things. They have taken their part in the working out of this law ; and although they thought that by it they were deprived of an important right they submitted loyally to that deprivation. They have taken their share in the working out of the Act, and as I am given to understand it has worked on the whole satisfactorily. At all events, we have the opinion of Mr. Haultain—who in that respect ought to be counted an authority—that if he were dictator he would not change the present law. It is satisfactory to the Protestants, and as I understand from an interview in the press, in which Bishop Legal, Bishop of Alberta, was reported to have said that so far as it went, although not an ideal system, he was satisfied with it, it is accepted by the Catholics. Therefore we have the opinion from both sides that the law, though supposed to be an invasion of the rights of the minority, is on the whole accepted as satisfactory and with a desire to work it out for the common welfare of the country. What then was to be done under the circumstances ? Here is the law as it is to-day and as it has been for 14 years. It may be that the point taken by Sir John Thompson was well taken. I pass no opinion on that. It may be that the point taken by the minority was well-founded, and on that I likewise pass no opinion. But we find a condition of things which has been in existence 14 years, and I think it would be foolhardy to attempt to displace it now. At all events, the point we have in view, the end we pursue, on behalf of the minority on both sides, whether Protestant or Catholic, is that the present condition of things shall continue, and the view we take is that it comes within the purview of section 93 of the British North America Act. That is the position we take. I do not say that our drafting is absolutely unimpeachable. I have stated our view and aim, and to this aim and purpose we propose to adhere, but I do not intend to be committed absolutely to the drafting of clause No. 2. If it be insufficient, we are willing to consider any reasonable amendment, provided it be on the line I have stated and on no other. But

let me say this, and I will sum up my argument by referring to a question put me two or three times by my hon. friend opposite. He said :—If you agree to maintain the present school system, such as it is in the Territories, what of the French language ? By an Act passed in 1876 or 1877 the French language was imposed upon the Territories. That was an Act passed by Mr. Mackenzie, but by an Act passed by Sir John Macdonald in 1890 the restriction put upon the legislature by the former Act was removed. Therefore, so far as the question of language is concerned, the Territories enjoy provincial autonomy. The power of the local legislature being unrestricted with regard to language, why should it not, I am asked, be unrestricted with regard to schools. My answer is simply this. There is a provision in the British North America Act guaranteeing separate schools, and there is no such provision with regard to the French language. And speaking here, as a member of the minority in this country, I would make a strong appeal to my fellow countrymen of the same race and language to stand by the constitution and to ask nothing which is not to be found within its four corners.

Mr. R. L. BORDEN. Hear, hear.

Some hon. MEMBERS. Hear, hear.

Sir WILFRID LAURIER. I do not want to have any privileges which are not granted any other class of subjects, but only the privileges and rights which are given in the British North America Act. On this ground I appeal to all Liberals from all the provinces, whether from the centre or from the extremities, whether from Ontario or Quebec, whether from the west or the maritime provinces, to show that we are a united party.

Some hon. MEMBERS. Hear, hear.

Sir WILFRID LAURIER. To show and prove that we have but one policy for all the provinces and that we do not claim for one province one thing and another thing for another province, but that in all things we should realize that to carry on the government of this country, and in building up a nation, we must be prepared to make sacrifices, we must be prepared to give up something even of our legitimate pretensions, we must show both by precept and example, that we are for Canada first, Canada last, Canada forever.

Mr. R. L. BORDEN. The right hon. gentleman (Sir Wilfrid Laurier) has referred to me as not speaking for the whole Conservative party in my address on the second reading of this Bill. The somewhat impassioned appeal with which he has just closed his speech indicates that he is not very sure for whom he himself is now speaking. I may further remind the hon. gentleman that if I kept within bounds in my speech on the second reading of the Bill, I cannot congratulate him upon doing the same in his speech on the first reading. For, in that speech he spoke as if for his whole party. Well, certainly so far as the ex-Minister of the Interior (Mr. Sifton) is concerned, he did not speak for him. And, if rumour is to be trusted he did not speak for the Minister of Finance (Mr. Fielding), though, since then, that hon. gentleman has come back to the fold and is prepared to support a position in absolute contradiction to that which he took in 1896. Now, I do not want to make this debate very long. But the right hon. Prime Minister (Sir Wilfrid Laurier) must have found himself in straits, when, after two months' debate on this subject he has found it necessary to speak for an hour without saying anything that has not been said a number of times before. I think there is nothing in his present speech which he himself has not said before. And some things he has said now for the third time—I think I have heard the right hon. gentleman four times give the historical account of the conference in Great Britain.

The right hon. gentleman has said there is no such thing as absolute provincial rights in matters of education because there are certain qualifications in section 93 of the British North America Act, which he himself admits to be the sole clause governing the distribution of powers as between the Dominion and the provinces in regard to education. Suppose that there is not absolute power in the provinces, is that a reason why he should seek to invade, as he does by this legislation, those provincial powers as they are? Suppose that a man has the lease of a farm for ninety-nine years. That is not an absolute title, as the right hon. gentleman, being a lawyer, knows. But does that justify any one in going in and breaking down the man's fences and taking possession of a portion of his land. The provinces have certain powers conferred upon them by section 93, subject to certain qualifications. If the right hon. gentleman is true to the spirit of his speech of this afternoon, he will vote for the application of section 93 with nothing more and nothing less than that section contains. The right hon. gentleman declares that he desires that the constitution shall be applied. Yet he begins his speech by taking for granted that which it was necessary for him to prove in order to maintain his case. He declares that there is some constitutional necessity to be found somewhere —I know not where—that separate schools should be continued forever in the Northwest Territories of Canada, even when they are created into provinces. I would ask the right hon. gentleman whether it is outside section 93 of the British North America Act that he finds that constitutional provision, or is it contained in section 93?

Would the right hon. gentleman answer me that?

Sir WILFRID LAURIER. What is the question?

Mr. R. L. BORDEN. I asked the right hon. gentleman whether or not the constitutional right in virtue of which he says that separate schools are to be imposed forever upon the people of the Northwest is to be found in section 93 of the British North America Act, or whether it is to be found somewhere else?

Sir WILFRID LAURIER. In section 93.

Mr. R. L. BORDEN. Then, I would ask my right hon. friend one more question. If he is determined to adhere as he says he is determined to adhere literally, absolutely, to the terms of the constitution by which we are all bound, why does he not apply section 93, instead of mangling it by the special provisions of this clause?

Sir WILFRID LAURIER. I answer, that I apply section 93.

Mr. R. L. BORDEN. And I answer the right hon. gentleman that he does nothing of the kind. Here is his amendment:

Section 93 of the British North America Act, 1867, shall apply to the said province with the substitution for subsection 1 of the said section 93, of the following subsection:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901.

And so forth. Does the right hon. gentleman believe that, if section 93 were applied in its entirety without any amendment, exactly the same result would be produced as that which is produced by the interpolation of these words? Will he answer that?

Sir WILFRID LAURIER. I shall answer my hon. friend (Mr. R. L. Borden) in due time.

Mr. R. L. BORDEN. I challenge the right hon. gentleman to answer that question directly.

Sir WILFRID LAURIER. I accept the challenge.

Mr. R. L. BORDEN. Will the right hon. gentleman give the answer now?

Sir WILFRID LAURIER. I do not think a discussion can properly be carried on in this way, and I do not wish to interrupt the hon. gentleman's speech. I will answer in my own time and in my own way.

Mr. FOSTER. Come out of the woods.

Mr. R. L. BORDEN. I will tell my right hon. friend——

Mr. E. M. MACDONALD. May I be permitted to ask the hon. gentleman (Mr. R. L. Borden) a question?

Mr. R. L. BORDEN. Certainly.

Mr. E. M. MACDONALD. The hon. gentleman (Mr. R. L. Borden) says that his policy is to apply section 93 of the British North America Act simply. Why is it that, in his resolution on this subject he seeks to apply it with a peculiar construction which he chooses to put upon it and not simply and directly?

Mr. R. L. BORDEN. Because that is the construction I believe it bears. That is the construction by which I am prepared to stand. And I will give my hon. friend a motion by-and-by, which I think will satisfy even his discriminating taste in that regard. Now, my right hon. friend the Prime Minister (Sir Wilfrid Laurier) is not prepared, at least at the moment, to give a plain answer to a plain question. He says he is applying the constitution. But when we look at his measure, we find that he is not applying the constitution, but he is mangling the constitution before he applies it. I ask him: Do you wish us to understand by this language which you are substituting for the constitution that you mean to bring about exactly the same thing that would be brought about by the constitution if you did not mangle it in that way? And he says he will answer in his own time and in his own way. I should think it would be easy to answer at once so plain and simple a question. I say that if section 93 means what I suppose the right hon. gentleman says it means—although he will not say it—then there is no need to change that section; there is no need to add to it or to take from it. On the other hand, if section 93 does not mean the same as the amendment of the right hon. gentleman, then, I say, we have no right to make a change in the words. That is the dilemma in which I place the right hon. gentleman. If it means the same thing, what is the necessity of the amendment which he says is merely carrying out the provisions of the constitution; and if it does not mean the same thing, by what right does the right hon. gentleman stand up in this House and move an amendment which alters the wording of the constitution, while at the same time he declares that he is adhering to the terms of the constitution without any amendment whatever?

The right hon. gentleman is very particular about some of the provisions of his amended section 93; he is very particular about subsection 3, both in his speech and in his resolution. He thinks it extremely important that the powers of the new provinces shall be restricted in accordance with the amendment which he has introduced into the terms of section 93. The right hon. gentleman I suppose, expects that this legisla-

tion will be of some advantage to the new provinces ; that is to say, that a minority in the Northwest Territories, whether Protestant or Catholic, may come by and by to this parliament for a remedial order and for remedial legislation. I ask the right hon. gentleman another question : If he believes that remedial legislation is of the value which it seems he would attach to it, how is it that, when a remedial order is still outstanding with regard to the province of Manitoba, and when he himself has stated, as a member of this House and over his own hand, that that final settlement which he made in the province of Manitoba was only the beginning of justice—why is it that he does not apply this provision to that province in the meantime, and demonstrate in the first place that it is of some value to the minority in at least one province ?

He referred to my remarks about the basis of confederation. The language which I used did not justify the argument which he sought to make with regard to it afterwards. I said that neither in the resolutions passed at the Quebec conference nor in the British North America Act itself was any warrant to be found for the legislation which is sought to be put through this House to-day. I said that in my opinion what we should do is to apply the provisions of the British North America Act, including section 93 which deals with the distribution of legislative powers, and to stand or fall by the meaning of the constitution as expressed in those provisions. My hon. friend the Minister of Inland Revenue sought to make an argument of the same character some time ago. He went into the question of the Quebec resolutions and what transpired in London. At the conclusion of his argument I asked him whether there was any compact or agreement in the constitution, any constitutional right in this regard, which was not to be found within the terms of the British North America Act itself, and the Minister of Inland Revenue answered, as he was bound to answer, that everything which he relied upon as a compact or a pledge was to be found within the terms of the British North America Act.

The right hon. gentleman has referred to an illustration which I drew with regard to the use of the French language. I drew that illustration for a very good reason, and I used it, as I think, to support a very good agrument. I understood that hon. gentlemen on the other side of the House claimed that this parliament, under the British North America Act of 1871, had the constitutional right to alter the provisions of the British North America Act as regards the distribution of legislative power. I understood them to say further that we were bound so to alter the provisions of the British North America Act, because there was a compact contained in the provisions with regard to separate schools in the Act of 1875; and I stated that if there was such a compact found in that temporary provision contained in the Act of 1875, designed only for the government of the Territories during their territoral stage, I saw no reason why a similar argument, as good an argument, could not be made for the compact to be found in that same provision with regard to the use of the French language in the Territories. I see no distinction whatever between the one case and the other. So far as I am concerned, I do not regard either one or the other as a compact. They were simply statutes passed for the governance of those Territories during the period in which they were Territories ; and to argue, as the right hon. gentleman and some of his friends have argued, that this constitutes a compact imposed for all time upon the people of the Northwest Territories, is absolutely contrary to the opinion brought down by the Minister of Justice. The opinion of the Department of Justice. The opinion of the government itself given through the law officers of the Crown, upon this very question, I have read once in the House already, though I may be permitted to read it again :

> The criticism of the clause (clause 15) is I think largely, if not altogether, founded on a misapprehension. It is, as I understand it, suggested that these words may enlarge or limit the constitutional powers of parliament or of the legislature of Alberta. They can, I submit, have no such effect. The Northwest Territories Act, so far as it affects constitutional powers, is merely a delegation by parliament to the assembly of the Territories of certain legislative authority for the government of the Territories provisionally. The territorial assembly is, with all its constituent authority, by the provincial Acts abolished, and two new legislative bodies are established with provincial powers. They differ in their nature from the territorial assembly, and are in no proper sense successors to it. It cannot, I think, be argued that because the territorial assembly had certain legislative powers, the provincial legislatures, in the absence of provisions to the contrary, must therefore have the same powers. A provision in the Northwest Territories Act, for instance, that the territorial assembly may legislate in respect of education could not, by reason of the clause in question, be held to confer any power with respect to education upon the provincial assemblies : first, because it has no application whatever to the provincial assemblies, and secondly, because the constitution and powers of the provincial assemblies are comprehensively provided by the express provisions of the provincial Acts.

Further on in the same opinion I find this :

> The other section to which Mr. Borden refers is section 14 of the Northwest Territories Act with regard to education. This seems to be a case where it is clearly otherwise provided by this Act, inasmuch as the provincial Acts contain expressed provisions determining the provincial powers with regard to education, but if they did not contain any such provisions I do

not see how it could be argued that a power which the territorial assembly had can, without apt words, be made to apply to the two provincial assemblies ; they are not continuations of the territorial assembly ; they derive no powers by reference to its constitution ; they are new bodies created in the execution of special powers by parliament, and there is no room for the application to them of the laws previously defining the constitution of the territorial assembly.

Now I have only a few words more to say in answer to the observations of the right hon. gentleman. He says that the Conservative party has no policy with regard to this matter. The Conservative party has the policy of applying the provisions of the British North America Act, the constitution of Canada, to this matter, without any amendment and without any alteration ; it has the policy of neither seeking to strike out or add to anything in that constitution ; it has the policy of applying that constitution to the new provinces, and of accepting loyally whatever result may ensue from the application of that constitution to those provinces, even if that result is not in accordance with the views which we think best suited to the conditions of those provinces ; it takes that stand because the constitution was settled, as we regard the question, once for all in 1867, because the Act of 1867 was based upon resolutions which not only looked forward to the consolidation into one confederation of the four provinces which originally constituted this country, but which also expressly looked forward to and contemplated the entry into the Dominion of all the territory which now forms part of the Dominion and the colony of Newfoundland as well. Under these circumstances to say that we apply the constitution when we are departing, in so many words, from it is to ignore the facts that are before us, is to ignore the very wording of the Bill itself because it is a direct departure from the constitution and the spirit of the constitution.

I have nothing more to add by way of reply to my right hon. friend. He says he is prepared to stand by the constitution. He says that the compact is contained in section 93 of the British North America Act. He says that he asks no rights for any class of people in this country which are not to be found within the provisions of the British North America Act. He professes to abide as far as education is concerned by the provisions of section 93 of the British North America Act. What is the obvious duty of the House and what is the obvious duty of my right hon. friend under these circumstances ? The obvious duty of my right hon. friend and the House is to apply to these new provinces, Alberta and Saskatchewan, the provisions of section 93 in their entirety. My right hon. friend says it is delightfully uncertain to do that. When he says it is delightfully uncertain, he simply says that the constitution is delightfully uncertain, not that the policy of the Conservative party is delightfully uncertain. The constitution is as we find it and as it was framed by the men of 1867 who were not small men and who were not believed to be unequal to a task of that kind. They prepared a constitution which must be interpreted from time to time in the courts, which has been interpreted many times in the courts in the past, and if you apply the provisions of the constitution it may be and doubtless will be the case that questions as to the meaning of the constitution may arise in regard to section 93 in its operation upon the new provinces just as it has arisen under section 93 in regard to other matters and in regard to other provinces, and just as it has arisen one hundred times, or even two hundred times, I suppose, in regard to the meaning of section 92, the immediately preceding section. The constitution is as we find it and we are content with the constitution and do not desire to alter it according to our view of what a particular class of persons may demand or what the interests of a particular community may require. We believe that we have neither the right nor the power to do that. I therefore beg to move in amendment to the motion of my right hon. friend :

That section 16 be struck out and that the following be substituted therefor :

The provisions of section 93 of the British North America Act, 1867, shall apply to the said province in so far as the same are applicable under the terms thereof.

Mr. FITZPATRICK. Mr. Chairman, I rise merely to put a question to my hon. friend because I think the time has arrived when we ought clearly to define our position on this question. Will my hon. friend be good enough to allow me to put him this question? What would be the effect in respect to the existing school ordinances of the adoption of that amendment?

Mr. R. L. BORDEN. In regard to the existing school ordinances?

Mr. FITZPATRICK. Yes.

Mr. R. L. BORDEN. I expressed my opinion on the second reading of the Bill in regard to that. I believe that the application of section 93 of the British North America Act will leave to the new provinces the right to deal with the question of education. I have said already that this is a question about which hon. gentlemen in this House have differed and that I do not claim to be infallible. I answer my hon. friend because that is my opinion and because it is my duty and the courtesy which I owe him to express it when he asks me for it.

Mr. FITZPATRICK. The result is that the rights and privileges which are granted to the minority by reason of the existing school legislation in the Northwest Territories will be taken from them ?

Mr. R. L. BORDEN. They may not be taken from them, but the matter will be left absolutely to the people of the new provinces to deal with.

Mr. FITZPATRICK. That is to say that unless there is other and further legislation by the new provinces the existing legislation disappears?

Mr. R. L. BORDEN. No, I do not think it disappears. I think it is continued under section 15 to which I have just referred. It is continued with the other laws of the Territories, because the province has a right to deal with other matters embraced in section 92 or it has a right to deal with the subject under section 93.

Mr. FITZPATRICK. The hon. gentleman contends that section 93 would not be applicable to the Territories because the word 'province' is used in section 93, and under this section it would come in not as a province but as a territory. The result, therefore, would be that they would have no rights or privileges whatever. There would be the question as to whether section 93 would be applicable to these Territories and a decision of the court would be required to ascertain what were the rights and privileges of the minority.

Mr. R. L. BORDEN. Will my hon. friend be prepared to say that there will be no litigation over this section as he proposes it?

Mr. FITZPATRICK. I am not prepared to say that there would be no litigation, but there is one thing I am prepared to say and that is, that in so far as I am concerned my endeavour has been to prevent any litigation by making the matter absolutely clear. I do not think it would be fair to this House if I were to come here with a proposition which would oblige me to say that this matter will have to be settled by the courts. I say this is the place to settle the question. We should take it out of controversy in so far as these provinces are concerned. Let us have the courage to say, now, if we have the power, as I contend we have, what are these rights and privileges which are guaranteed to the minority and prevent another Manitoba school case.

Mr. R. L. BORDEN. If that is the object and intention of the government why does it not deal with section 92 in the same way? There are many questions involved in section 92, the question in regard to jurisdiction over the harbours and foreshores for instance, which is about being again referred to the Supreme Court, and many other matters of that kind and why not cover the whole area?

Mr. FITZPATRICK. That will not do.

Mr. R. L. BORDEN. I know it will not do. It is all very well for hon. gentlemen opposite to apply his remarks to section 93, but if he wants to make matters plain and certain, he had better devote his attention to section 92. My hon. friend the Minister of Justice is too good a lawyer to claim that the meaning of sections 91 and 92 is beyond question. He knows that there are many matters still in controversy to which I have already referred. If I am not mistaken the government is about submitting to the Judicial Committee of the Privy Council a further question about the legislative power of parliament and of the provincial legislatures, in regard to the foreshores and the fisheries. If we are going to alter the British North America Act, if we have power to change it as we like we had better deal with this question and make absolutely plain for all time to come the area of the legislative power of the Dominion and of the provinces. Let us not stop at section 93. Continue the good work and deal with sections 91 and 92 in the same way.

Mr. FITZPATRICK. I do not intend to detain the House at any length, but I think I ought to say that this short debate has served an exceedingly useful purpose; it has defined the position of the two parties with respect to this much discussed question. My hon. friend (Mr. R. L. Borden), speaking with authority as the leader of the Conservative party, declares to us that the Conservative party are a unit, that those who stand behind him are united in endorsing the views he holds; that is to say, that the wish of the Conservative party is to leave to the future provinces the question of determining what are to be the rights and privileges of the minority.

Mr. R. L. BORDEN. I made no such statement; it may be perfectly true.

Mr. FITZPATRICK. Then if my hon. friend did not make the statement, I apologize for having misunderstood him.

Mr. R. L. BORDEN. My hon. friend asked my opinion, as a lawyer, with regard to the meaning of section 93 of the British North America Act and I stated it. I expressly stated also that I had no doubt, in fact I knew there was a difference on that point. I could not unite the Conservative party on the question of the construction of a statute. I am afraid my efforts must stop short of that.

Mr. FITZPATRICK. I understood my hon. friend to state that he expressed the opinion of the Conservative party when he moved his amendment and then as he after having moved that amendment construed it, and I inferred that those for whom he spoke endorsed the construction he put on it.

Mr. R. L. BORDEN. I am not so confident in my ability as to seek to impose on my hon. friends behind me or upon the Minister of Justice my opinion as to the

construction of a statute. I did say on behalf of the gentlemen on this side of the House that I did believe that they would accept loyally the result of applying section 93 whatever it might be, and I stated further my own opinion of what it would be.

Mr. FITZPATRICK. I understood the hon. member to say that his amendment gives expression to the wish of the united Conservative party. Of course it is not possible for us on this side to accept the principle contained in his amendment. I take it that there may be doubt with respect to section 93 as to whether or not, in view of the words used in that section, 'province' and 'union,' section 93 would be applicable in its entirety to the new provinces. That I consider is a matter of doubt. Some good lawyers say that section 93 would be applicable.

Mr. R. L. BORDEN. And the hon. gentleman, as I understand his previous argument, thinks that that doubt can be removed by virtue of the powers conferred on us by the British North America Act, 1871.

Mr. FITZPATRICK. I have absolutely no doubt about that. There may be some doubt about section 93, but no doubt as to our right to legislate with respect to this matter. I consider that point was absolutely set at rest at the time the Manitoba Act was passed, and if it was necessary thereafter to find confirmation of what was done at that time, it can be found in the Act of 1871. So far as we are concerned we submit that the territories now coming in as provinces should be dealt with as if they were provinces now. The parliament of Canada undertook when we assumed legislative jurisdiction over these Territories to give to these territories a constitution similar in principle, or rather similar in so far as the circumstances would permit to those enjoyed by the then existing provinces. This parliament gave them the power to deal with the question of education and under the Act of 1880, section 93 is specifically made applicable to the Territories; under that legislation a system has grown up in the Territories, which if they were provinces, section 93 would make applicable to-day and I say it is our bounden duty to give effect to the legislation which we passed and under which this system was created. That is the position we take. We say that rights and privileges have been created under that provision, and we say: Give effect to them. Hon. gentlemen say that no rights and privileges exist and we are not under obligation to consider them.

Mr. SPROULE. That was not the position of the Hon. David Mills in 1884.

Mr. FITZPATRICK. Of course I differ with my hon. friend as to the construction to be put on Mr. Mill's position, but I do not want to play the part of echo; I like to give my own opinion.

Mr. SPROULE. Nor was that contention put up when Mr. Dalton McCarthy moved his motion on the ground that if this was allowed to continue, afterwards, when we came to erect these Territories into provinces and give them a constitution, vested rights and the privileges which they enjoyed might be plead as a bar against any amendment to the constitution then. That was not contended at that time.

Mr. FITZPATRICK. Mr. McCarthy and George Brown both contended that as a result of the passing of this legislation by this parliament, that is to say of the Act of 1875, with respect to schools, if that legislation was allowed to continue in force until the present moment had arrived, that is until the time came to give provincial autonomy, the result would be that we would be obliged to continue on that system that would create rights and privileges which might have to be accepted. That was the opinion of Brown and McCarthy and of a greater lawyer than either, Sir John Thompson.

Mr. HAGGART. Is it your opinion?

Mr. FITZPATRICK. It is my opinion.

Mr. SPROULE. I can only say that Mr. McCarthy did not hold to that contention after Sir John Thompson's explanation, because he said: I frankly confess I have not looked into it as closely as the Minister of Justice has done, and, therefore, I would not stand upon my own opinion to the same extent, but for fear that this should be plead afterwards as a justification for continuing these rights then I will move my motion. In supporting that motion I remember distinctly that I referred to the custom which prevailed in this House, especially amongst lawyers, of pleading vested rights and precedents as a justification for continuing rights acquired, and I said because of that, because that might be plead in the future, I will feel constrained to vote with the member for North Simcoe (Mr. Dalton McCarthy), which I otherwise would not be disposed to do.

Sir WILFRID LAURIER. My hon. friend (Mr. R. L. Borden) a moment ago put to me one or two questions to which he wanted an immediate reply. I said at that moment I did not choose to reply. I am sure my hon. friend and the House generally will agree that when a question is put to an hon. member it is for him to select the manner in which he will answer.

Mr. R. L. BORDEN. Hear, hear.

Sir WILFRID LAURIER. I thought the moment was not convenient for me to give an answer, because I could not give such an answer as my hon. friend wanted to have, simply yes or no. The question was asked: Why do you not apply the provisions of section 93 at once without anything more?

Mr. R. L. BORDEN. If you intend to adhere exactly to the constitution.

Sir WILFRID LAURIER. Very well; if you intend to adhere exactly to the constitution. I said we wanted to adhere exactly to the constitution, and the reason why I did not think it would be advisable at this moment to apply section 93, without any qualification, simply to vote for the amendment of my hon. friend which he has just put in the hands of the chairman, and which is as follows:

The provisions of section 93 of the British North America Act, 1867, shall apply to the said provinces in so far as the same are applicable under the terms thereof.

Was, Sir, because that is absolutely meaningless, because you do not mean anything, that there is nothing certain as to what is really the law under such circumstances. You do not know what kind of school system you would have in the Territories if you were to apply that. I call the attention of my hon. friend and the House to this fact that the law of 1875 put in certain prescriptions which were binding on the legislative powers. These prescriptions were that the minority or the majority in any school district would have the power to establish such a school system as they thought fit. Now, Sir, let me call the attention of the House to this, that no less an authority than Sir John Thompson gave his opinion and put it on record that one part of the law passed by the Northwest Territories, the part regarding the organization of school districts, was ultra vires and had no existence in law. Let me again quote Sir John Thompson:

The ordinance respecting schools does not contain the provisions that the statute requires it to contain, but merely contains the provision that the minority may establish a separate school in an organized public school district, thus placing the minority at the mercy of the majority, and only giving the minority the right to establish a separate school, if the majority think proper to organize a public school. It is necessary to point out that the provisions of the Northwest Territories Act, before cited, cannot be abridged by the ordinance and must be considered as still in force, notwithstanding the restrictive terms of the ordinance. In so far as it is attempted by the ordinance to declare the meaning of the Northwest Territories Act, the ordinance fails of that purpose, and is objectionable, as being an interpretation by an inferior legislative body of the Acts of its superior.

The undersigned only refrains from recommending the disallowance of this ordinance, in consequence of its being merely a re-enactment of an earlier ordinance, which disallowance would not affect, and which was allowed to go into operation, probably because attention was not called to this provision. The undersigned has the honour to recommend that the ordinance bringing these revised ordinances into effect, be allowed to go into operation.

Here you have the opinion of Sir John Thompson that a part of the law which was passed in 1888 with regard to the organization of school districts, and which is still the law in force in the Territories, was unconstitutional, was ultra vires, was null. He did not recommend the disallowance of it, and it was not disallowed; but if it was null at that time, it remains null to this day. Therefore what would be the law today? If you say that section 93 of the British North America Act should apply, to what would it apply? To the law as it was in the ordinances of 1901, or as it was in the Act of 1875? This is a serious question, and it is a question we ought to settle. We do not want it left unsettled to be a bone of contention, with all that that implies. My hon. friend's amendment would settle nothing at all, but would simply throw a bone of contention into these new provinces. My hon. friend says, let the British North America Act apply, whatever it may be. When he is asked what that Act means, he says that is for the courts to determine. Is that satisfactory? Is that the manner in which we should legislate? Is that the way to build up this country? Sir, it is not the way. The only way is to find what the law is at the present time, and then apply it.

Mr. R. L. BORDEN. May I ask my hon. friend what tribunal will determine what his amendment means?

Sir WILFRID LAURIER. The courts must of course determine what our legislation means; but, as was said by the hon. Minister of Justice, we want to do all we can to prevent litigation, not do all we can to faciliate litigation.

Mr. BELCOURT. Before the question is put, might I be permitted to ask the hon. leader of the opposition why, in framing his amendment, he has introduced purely and simply section 93 of the Act of 1867—why he has left out the other provisions of the constitution, as contained in the Act of 1871, the Act of 1875, and the Act of 1886? As I understand, the constitution of Canada is to be found in these four Acts, and my hon. friend proposes to introduce into this Bill which we are now discussing the provisions of the Act of 1867 only. Why has he left out the others?

Mr. R. L. BORDEN. I will answer my hon. friend. It is very unfortunate for his friends that he should have asked that question. In the first place, I followed what the hon. gentleman seems to consider the very bad example of the government, who in section 16, deal specially with section 93 of the British North America Act. If we are to deal with section 93 specially in a particular section, I want to take it exactly as it is, and not with any amendment or alteration. My hon. friend has made a very good point, namely, that we are making no reference to the Act of 1867. He has doubtless observed that there is no reference to that Act in the preamble, and my hon. friend from Hamilton has introduced an

amendment referring to the Act of 1867, for which no doubt the hon. member for Ottawa (Mr. Belcourt) will vote if there is any question about it, because he clearly appreciates the fact that there should be a reference, not to the Act of 1871 alone, but also to the Act of 1867.

Mr. BELCOURT. Is my hon. friend not prepared to admit that the Act of 1871 particularly, possibly the Act of 1875, and possibly the Act of 1886 in a certain measure, probably in a large measure, are necessary to be looked at in order properly to interpret the provisions of section 93 of the Act of 1867 ?

Mr. R. L. BORDEN. Certainly, as to the Acts of 1867 and 1886, and that is the reason that we are moving a preamble which refers to them.

Mr. BELCOURT. And why has the hon. gentleman left these provisions out of his proposed amendment ?

Mr. R. L. BORDEN. I have not left them out.

Mr. BELCOURT. Yes, the amendment is limited to section 93 of the Act of 1867. It makes no reference whatever to subsequent constitutional Acts. I would like to have some reason why that has been done.

Mr. R. L. BORDEN. The amendment of the Prime Minister says that section 93 of the British North America Act of 1867 shall apply to the said provinces, with certain substitutions. The section is designed to deal only with section 93 of the British North America Act. Taking the standpoint of the government that it is necessary to deal with that by a special section, we are providing a section which leaves it unimpaired, unaltered, unmangled. We propose that the provisions of the whole British North America Act should be dealt with by one section ; but inasmuch as the government thought a special section was necessary, I adopt in that regard their standpoint, making no criticism along the lines my hon. friend suggests, which I might very reasonably have made, as he has made it, on the attitude of the government in that regard.

Mr. BELCOURT. My hon. friend's object is to repair the defect of the legislation proposed by the government. If he admits, as I understand him to admit, that in order to legislate properly in this matter, the provisions of the constitution subsequent to 1867 are necessary, then he must admit that his amendment is defective, because those provisions are not contained in that amendment.

Amendment (Mr. R. L. Borden) negatived: yeas, 37 ; nays, 87.

Mr. BOURASSA. Before the amendment moved by the First Minister is adopted, I beg to say that I do not wish to pursue the debate on the lines laid down by the Prime Minister and the leader of the opposition, because it seems to me that the whole constitutional question was dealt with before the second reading of this Bill. I do not think the government or the Liberal party need to apologize for stating that they do follow the constitution in this matter. I do not think it is necessary to go back over this whole debate in regard to the restriction of provincial rights in matters of education. The only question I want to consider to-day is the difference between section 16 as proposed by the government in the first instance, drafted by the Minister of Justice and adopted by the government, and by the Liberal party of Canada—and the amendment which has been accepted by the government after the late Minister of the Interior thought fit to oppose the clause as first drafted. I think I made it quite clear, in the speech which I made in this House on the second reading of the Bill, that I approved heartily of the legislation as it was introduced in the first instance, and I do not propose to submit to the dictation of the late Minister of the Interior so far as the rights of the minority in the Northwest Territories are concerned. The clause relating to the grants to schools being similar in both clauses as well as the application made of section 93 of the British North America Act, the only difference which exists—and it is a large difference, the opinion of the hon. leader of the opposition to the contrary notwithstanding—is as between the law of 1875 which was adopted by this parliament, and the ordinance of 1901 which was adopted by the Northwest assembly. The text of both clauses shows the difference.

So far as the law of 1875 is concerned, the hon. the leader of the opposition, as well as the hon. member for North Toronto (Mr. Foster) have on a previous occasion, during the consideration by this committee of clause 16, put upon that clause a construction which should not go before parliament and the country without contradiction. My hon friend, the leader of the opposition, supported by the hon. member for North Toronto, argued that what I might call the first subsection of clause 14 of chapter 50 of the revised statutes of Canada, originally clause 11 of the Act of 1875, had no reference whatever to the character of the schools and that the separation granted by the second subsection of that clause meant simply and purely separation without any religious character whatever. Well, I suppose if we want to know what the legislation of 1875 meant, we have to go back to the annals of this parliament. What there do we find ? When the Northwest Territories Bill was proposed to this House, there was nothing in it whatever regarding education. Thereupon the Hon. Mr. Blake made an objection. He said :

He believed it was essential to our obtaining a large immigration to the Northwest that

we should tell the people before hand what those rights were to be in the country to which we invited them to settle. . . .

He did not agree with the policy of asking people to settle in that western country, and tell them that a paternal government would look after them and would give them such institutions as the government thought suitable. We had better let the people know their fate politically and otherwise before they settled there. . . .

He regarded it as essential under the circumstances of the country, and in view of the deliberations during the last few days——

Making reference to the New Brunswick school question——

—that a general principle should be laid down in the Bill with respect to public instruction. He did believe that we ought not to introduce into that territory the heart-burnings and difficulties with which certain other portions of this Dominion and other countries had been afflicted. It seemed to him, having regard to the fact that, as far as we could expect at present, the general character of that population would be somewhat analogous to the population of Ontario, that there should be some provision in the constitution by which they should have conferred upon them the same rights and privileges in regard to religious instruction as those possessed by the people of the province of Ontario. The principles of local self-government and the settling of the question of public instruction seemed to him ought to be the cardinal principles of the measure.

I need not say that Mr. Blake did not give the slightest intimation that the cardinal principle of that legislation with regard to public instruction meant only that parliament was dealing with it for the time being and that as soon as the Territories were organized into provinces, they would be at liberty to change their system. Mr. Mackenzie, who immediately assented to the proposition of Mr. Blake, said :

As to the subject of public instruction, it did not in the first place attract his attention, but when he came to the subject of local taxation he was reminded of it. Not having had time before to insert a clause on the subject, he proposed to do so when the Bill was in committee. The clause provided that the Lieutenant Governor, by and with the consent of his council or assembly, as the case might be, should pass all necessary ordinances in respect of education, but it would be specially provided that the majority of the ratepayers. . . . . .

I would like to draw the attention of my hon. friend the leader of the opposition to that :

—might establish such schools and impose such necessary assessments as they might think fit ; and that the minority of the ratepayers, whether Protestant or Roman Catholic, might establish separate schools, and such ratepayers would be liable only to such educational assessments as they might impose upon themselves. This, he hoped, would meet the objection offered by the hon. member for South Bruce.

It will thus be seen that parliament was dealing not with this minority and that majority in any particular section of the Territories, but with the Protestant or Catholic majority and the Protestant or Catholic minority, as the case might be, throughout the Territories. When the question was brought before the Senate, and Mr. Brown opposed the measure, the Hon. Mr. Scott who has charge of the Bill for the government, spoke as follows :

He was one of those who maintained that parents had a right to educate their children as they pleased and that they ought not to be taxed to maintain schools to which they could not conscientiously send their children. Our whole system of government was based upon that sound principle, and how long could we have happiness and peace in the country if we were to abolish that safeguard which was now recognized in both the large provinces ? Would not every gentleman in this chamber gladly see the New Brunswick trouble removed ? Now was the proper time to establish in the new territory a principle that ought years ago to have been established in this Dominion.

And the Hon. Mr. Miller, a Conservative, who was afterwards President of the Senate, said :

All the Bill asked was that all parties in that new country should have such schools as they chose to establish at their own expense, and that minorities would at all times be safe against the tyranny or intolerance of majorities. That would not be interfering with the just rights of any body or class but, on the contrary, it would be guaranteeing the rights of all classes. It would simply be providing, while they had the power to do so, for freedom of conscience with regard to the vexed question of education.

But I would call especially the attention of members of the Conservative party to the construction put upon that law by the Hon. Alex. Campbell. He said :

It would be much to be regretted if the amendment passed. The object of the Bill was to establish and perpetuate in the Northwest Territories the same system as prevailed in Ontario and Quebec, and which had worked so well in the interest of peace and harmony with the different populations of those provinces. He thought the fairer course, and the better one, for all races and creeds, was to adopt the suggestion of the government and enable people to establish separate schools in that territory, and thus prevent the introduction of evils from which Ontario and Quebec had suffered, but had judicially rid themselves.

In the year following, 1876, petitions were sent to this parliament, just as they have been this year, asking for the repeal of that law; but at that time the wave of anti-Catholicism was not from Ontario but from the maritime province ; and unfortunately, apart from the province of Quebec, all the provinces of Canada have from time to time been subjected to such kind of agitation—the setting of one race or creed against another. Those petitions were presented by the Hon. Mr. Macfarlane, and the minister who spoke for the government on that occasion was the Hon. Mr. Letellier. Mr. Letellier declared positively that the question

had been settled and would not be considered again by the government and the Hon. Mr. Miller added :

He thanked the government again for their determination to adhere to the law of last session, which secured freedom of education forever to the great Territories of the Northwest. When the Act will have been proclaimed, which he supposed would shortly be done, it can never be repealed, and the privileges it guarantees will then become the birthright of the generations that are to people that great and promising country, so long, at least, as British institutions and British justice shall prevail there.

In addition to which, the Hon. Mr. Scott said :

The government were guided by experience in settling the separate school question in the Northwest and setting it at rest at once and for ever.

So, we have the declaration from leading members of both parties in 1875 and 1876 that, in establishing separate schools in the Northwest Territories in 1875 they meant first, to establish them for ever, and, second, to establish in the Northwest the same system of separate schools as existed in Quebec and Ontario. And when hon. gentlemen opposite quote Sir John Thompson against that contention, I have to remind them that Sir John Thompson, although on the legal point of whether or not the settlement of this question in 1875 was binding on parliament, differed with Mr. Dalton McCarthy, and stated positively that the parliament of Canada, when the time came to give provincial institutions to the Northwest be free to do whatever it liked, yet, at the same time he said parliament would have to consider the pledges given in 1875 on that question. The pledges given in 1875 were pledges which this government at first considered that they should keep, but which it is proposed by that amendment to ignore. They provided for the same system of schools in the Northwest as was established in Quebec and Ontario. There cannot be two opinions about that.

Mr. SPROULE. I think the hon. gentleman has scarcely given a correct interpretation of what Sir John Thompson said. Here are Sir John Thompson's own words :

We claim therefore that the constitutional system which was established with regard to schools and with regard to language in 1875 ought to be maintained for the same reasons as those which dictated its creation, and that this condition of affairs should last, at least, while the affairs of the Territories are under control of this parliament. What the constitution of the future provinces should be, in view of the pledges which have been referred to, or in view of any other set of circumstances, will be for parliament to decide when it decides to create those provinces.

That is entirely different from the interpretation given by the hon. gentleman (Mr. Bourassa).

Mr. BOURASSA.

Mr. BOURASSA. Not at all. I say distinctly that this parliament is free. I do not claim some small legal technicality, but a broad moral obligation, which this parliament has taken upon itself. I admit that we are free to ignore that obligation, we are free to be untrue to our pledges. I admit that Sir John Thompson never attempted to say that this parliament would not be free. But, if we have any desire to maintain the honour of parliament, if, in the words of the Prime Minister (Sir Wilfrid Laurier), we want to build up a nation, we cannot do it by tying ourselves up to legal forms ; we can only do it by being true to our moral obligations. And this parliament will not be doing good work for the building up of this country and the maintenance of British justice and British institutions in Canada if it does not live up to its moral as well as its legal obligations.

Mr. SPROULE. If I am not interrupting the hon. gentleman (Mr. Bourassa) too much I would like to ask him a question : If we have a constitution which provides for the rights of all the provinces, and if education is one of those rights, what guarantee would there be of the rights of the provinces in the future if an Act such as that passed by this parliament in 1875 should control them for all time in the matter of education ?

Mr. BOURASSA. I am not going to enter into a discussion of these small points. I have made the point that, so far as the Northwest is concerned, this parliament was the only body that could legislate for it up to the present time. And this body established, in the very words of the legislators of 1875, for ever, a system based on that in Ontario and Quebec. And, by adopting the amendment proposed by the Prime Minister we are breaking that engagement. That is my position. The law of 1875 was not a law of narrow scope which would have prevented the government of the Northwest, any more than the original proposition of the Minister of Justice, if adhered to, would have prevented the legislatures of the new provinces, from dealing with educational matters just as we may deal with them in Ontario and Quebec. I would ask any hon. member on either side of the House, why should the people of the Northwest Territories be in a different position from those of Ontario and Quebec ? Are we in Ontario and Quebec interfered with, is our liberty curtailed, because there is in our constitution some restriction as to our power of encroaching upon the rights of the minority ? And, if it was found best to prevent the majority in Ontario and in Quebec from dealing improperly with the minority, why should not the majority in the Northwest Territories be checked in the same way, should they feel inclined to deal less fairly with the minority than the minorities in Ontario and Quebec are dealt with ?

Mr. R. L. BORDEN. Why should not the people of the maritime provinces be in the same position ?

Mr. BOURASSA. Certainly ; but the great difference is that they were already self-governing provinces when they entered the confederation compact in 1867. They had a school system as well as a judicial system, under which they had lived for years. But the Northwest Territories were purchased by the people of Canada. The money which has been spent for the settlement of that country has been the money of Catholics as well as of Protestants, the money of French Canadians as well as of English Canadians. And in the words of Blake, of Mackenzie, of Sir Alexander Campbell, the people of Canada purchased that territory, designing to introduce there the principle of freedom in the matter of education so that the French and Catholic Canadians would be allowed to go there on an equality with the Protestants and English Canadians. When it comes to the time of taxes for the development of the Northwest, have you made an exception in favour of the Roman Catholic and the French Canadian ? No. Then, why should the law, which is designed to provide for the education of all future generations, be made such that the French Canadian and Catholics will not feel as free in these Territories for the acquisition, defence and settlement of which they have as loyally given their share of self-sacrifice and money as have those of any other race or religion ?

I need not go over again the ground of difference between Roman Catholic and Protestants with regard to education. That was discussed thoroughly on the second reading of the Bill. I need not again point out the difference between separate and public schools. I stand on the ground on which the Prime Minister stood on February 21st, when he compared the system of separate schools in Canada with the system in the United States and said he wanted to prevent the introduction into Canada of a system of schools which would produce the moral results we see in the United States. Therefore I adhere to the legislation introduced by the Prime Minister, and I refuse to alter my position even to please the ex-Minister of the Interior (Mr. Sifton). So, we have to choose between the law of 1875, which this parliament passed in the full exercise of its prerogative—as most clearly shown by the Minister of Justice—under the imperial statute of 1871, which law of 1875 must be binding upon the conscience of the parliament, and which is the only one the government can invoke to show that they are morally bound to give something to the minority,—between that and the ordinance of 1901 adopted by the legislature of the Northwest Territories contrary to the provisions of the law of 1875, the only law under which the legislature could act. In other words, I stick to the law instead of to an ordinance which has been passed in defiance of the law, in defiance of the wishes of this parliament and of the moral pledges which we have taken, and which in itself is an unjust act as against the interests of the people for whom this legislation of 1875 was adopted.

Sir, the law of 1875 was adopted in order to give freedom of education to minorities in the Northwest Territories, whether Catholic or Protestant. Now, I put this question to the leader of the opposition : I say that the parliament in 1875 meant to give certain rights to the minorities in the Northwest Territories ; and is my hon. friend prepared to put such a construction upon that statute of 1875 as that the first subsection thereof would have nothing to do with religious education, with the consequence that under such a construction nine-tenths of the minority would be deprived of the rights and privileges that were intended to be given to them ?

Mr. R. L. BORDEN. The question, if the hon. gentleman wants me to answer it, sems to be a little involved ; I do not know whether I fully understand it. I think it would be answered by the reply I gave to the Minister of Justice, which is in effect this—I will elaborate it. The government, through their Department of Justice, had given an opinion, which coincides with mine, as to the nature of the Act of 1875 passed by the parliament of Canada, and which can be amended by this same parliament. Parliament was not then establishing a province, it could have established a province——

Mr. BOURASSA. My hon. friend is not answering the question I put to him. I am not asking what might be the actual constitutional value of the Act, I am simply asking his opinion of the way it would affect the local majority and the local minority. In order to make myself clear I will read the Act, section 11 :

> The Lieutenant Governor in Council, by and with the consent of the council or assembly, as the case may be, shall pass all necessary ordinances in respect to education ; but it shall therein be always provided, that a majority of the ratepayers of any district or portion of the Northwest Territories, or any lesser portion or subdivision thereof, by whatever name the same may be known, may establish such schools therein as they may think fit, and make the necessary assessment and collection of rates therefor ; and further, that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and that, in such latter case, the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessments of such rates as they may impose upon themselves in respect thereof.

Now, the other day I understood the hon. gentleman to say that the first part of this section with regard to the right of the local

majority to establish 'such schools as they think fit,' had no reference to the religious character of those schools, but that it simply meant that the local majority could establish the number of schools they saw fit.

Mr. R. L. BORDEN. I do not think that the words 'as they think fit' have the significance which was attached to them by the Minister of Justice, with whom I had rather an elaborate argument upon that question, which ended, I think, in each one of us retaining his own opinion. I adhere to the opinion I then expressed; I do not think my hon. friend requires me to repeat what I then said.

Mr. BOURASSA. That is all right, I only wanted to be sure that I understood the hon. gentleman correctly. This then is the result that legal science may produce in an otherwise broad-minded and honest man. The result would be, if we consider the position of the Roman Catholics in the Northwest, who form the majority in the most of the local districts where they live, that nine-tenths of them would be deprived of the schools meant to be given to them. That would be the logical and the actual result of the contention of my hon. friend. Well, I am not a lawyer, but I contend that is not the opinion of the legislators of 1875, that is not the opinion of Mr. Blake, who was considered at that time, and is still considered throughout the British empire to be a lawyer of some eminence. I still adhere to the opinion which was expressed at that time by Mr. Blake, Mr. Campbell and Mr. Mackenzie, that what they meant is what they said; that is, they wanted to give the minorities in the Territories, whether Protestant or Catholic, the right to have such schools as they saw fit; in other words, if they were Catholics they could have Catholic schools, and if they were Protestants they could have Protestant schools, and the majority in each case could not impose its will upon them.

Mr. R. L. BORDEN. Could the hon. gentleman refer to that portion of my remarks on this question which he says bear that construction?

Mr. BOURASSA. I say that if the hon. gentleman means that the first subsection of section 11 of the Act of 1875 has no reference whatever to the religious character of the schools, as a matter of fact, nine-tenths of the people of the Northwest, according to the ordinances of 1901, are entirely deprived of such schools as were intended to be given to them by that Act.

Mr. R. L. BORDEN. How does the hon. gentleman know what was intended except by referring to the statutes?

Mr. BOURASSA. Of course, that may be the narrow legal view to be taken; but I say that if there is anything obscure in the language of a statute, then we have to consider the comments that were made upon it by the men who adopted it, and to take the construction that was put upon that statute by those for whom it was made.

Mr. R. L. BORDEN. Really, does the hon. gentleman ask us to refer to the debates in order to interpret a statute?

Mr. BOURASSA. I say that Mr. Blake's object was to give freedom of education to the total minority in the Northwest Territories, and if a narrow interpretation of the law of 1875 will prevent nine-tenths of those people from getting such schools as they see fit, then you are contradicting the spirit of the legislature that passed the Act.

Mr. R. L. BORDEN. I only asked this question of my hon. friend, because he says he is prepared to discuss the constitutional point with any person, and he has told us over and over again that the proper method of construing a statute is to refer to the debates in parliament.

Mr. BOURASSA. I said that was my method.

Mr. R. L. BORDEN. The hon. gentleman said it was not only the proper way, but it was the best way. He is dealing with the question, I suppose, from the standpoint of the legal construction which a court of law would put upon it. Is he doing that, or is he talking about something else? Is the hon. gentleman talking about its real construction which would be given to it in a court of law, or is he talking about something else?

Mr. BOURASSA. I am talking about the law of 1875, and I am talking about those who passed that law.

Mr. R. L. BORDEN. But I am asking whether he is dealing with the question of what the real legal construction is.

Mr. BOURASSA. Oh, no.

Mr. R. L. BORDEN. Then he is not dealing with the meaning of the statute.

Mr. BOURASSA. I am dealing with the common sense meaning, not with the legal meaning.

Mr. R. L. BORDEN. He is not dealing then with the meaning which would be put upon it by the courts.

Mr. BOURASSA. That depends on the courts.

Mr. R. L. BORDEN. That is to say, if the courts adopt his view it is a common sense view, and if they do not adopt his view it is not a common sense view.

Mr. BOURASSA. What I say is very simple. I say that in 1875 the parliament of Canada intended to give separate schools as between Protestants and Roman Catholics in the Northwest Territories, as is done

in Quebec and in Ontario, and I quoted the language of the legislators of that day and the intention they had in passing the statute. I say we must interpret the word 'majority' in the second paragraph of that Act in the same way as the word 'minority' in the third paragraph; that is, it means that if the majority were Catholics it could establish Catholic schools, and if the majority were Protestant it could establish Protestant schools; but if the minority were of a different creed they could separate from the majority and establish such schools as they saw fit. Now, to that the hon. gentleman makes an objection that would leave no schools to any other class of people than the Roman Catholics and the Protestants. I never contended that, and I think it would be a senseless contention.

The law left to the authorities of the Northwest Territories the power to deal with education, to pass ordinances in respect to education, and under that power, they may establish a system of public schools. They may establish a system of non-sectarian public schools to-day, one to which Protestants or Catholics or any other class of people can send their children, and as a matter of fact that is what was done under the law of 1875 before the ordinance of 1892 was passed. But I say that in so far as separate schools are concerned it meant nothing but Protestant schools on the one side and Catholic schools on the other. The hon member has tried to throw ridicule on that opinion of mine which I expressed the other day and he cited the opinion of the Supreme Court of New Brunswick in the famous case of Renaud to the contrary. In my simple, layman way of reading a document I have read that judgment and what I found I thought was this, that the Supreme Court of New Brunswick decided first that under the Parish School Law or under the Common School Law, Catholics enjoyed no rights which they could claim as rights under section 93 of the British North America Act, that whatever religious exercises were carried on in public schools were not those provided for under clause 93 of the British North America Act. They decided secondly that denominational schools, as provided for under subsection 1 of section 93 meant the schools of any denomination, any Protestant denomination, or the Roman Catholic but in so far as separate schools are concerned and as provided for by subsections 2, 3 and 4, they meant Catholic schools on one side and Protestant schools on the other. I quote from the judgment:

> It is contended, in this case, that the words 'denominational schools' were not used by the legislature, and should not be construed by us in their ordinary grammatical sense and meaning, but should have a much broader interpretation. While freely admitting that, though the general rule is that every word must be understood according to its legal meaning, in constructing an ordinary as opposed to a penal enactment, where the context shows that the legislature had used it in a popular or more enlarged sense, courts will so construe the language used; we are at a loss to discover anything in the British North America Act, 1867, indicating a legislative intention of using the words otherwise than in their ordinary meaning. It is clear enough that the reference in subsection 2, to separate and dissentient schools in Ontario and Quebec, is especially to schools of Protestants and Catholics, and it is, perhaps, equally clear that subsection 3 applies only to schools of a like character existing in any of the four provinces.

But, it was more clearly established in the judgment in the Manitoba school question. Dealing with that very question which was raised by the hon. leader of the opposition, Mr. Blake said:

> You may have some difficulty in treating the Protestant school as separate, because you may say: 'what sect does it belong to? But when you find a school as to which authority is given to conduct it under the control of religious teaching, which applies exclusively to one religious body, that for which I appear, can you call it other than a separate school for the denomination? It is a school having religious teaching, the religious teaching of a single denomination, the Roman Catholic demonination, authorized, erected and created by the state in order that such teaching may take place. . . . In the very nature of things the school of the minority is a denominational school. The minority has a right to establish out of the whole or part of the area the school which is to be the school of the minority, conducted according to its views of Roman Catholic education.
>
> The LORD CHANCELLOR. The word 'separate' applied before the Act only to schools in Ontario?
>
> Mr. BLAKE. Yes.
>
> The LORD CHANCELLOR. The separate schools were a system of Roman Catholic schools as distinguished from the general non-denominational system of the whole province?
>
> Mr. BLAKE. Precisely. The separate school was the technical term applied to the Roman Catholic schools of the province and was grafted upon a non-denominational school system.
>
> The LORD CHANCELLOR. Subsection 3 deals with separate schools existing at the time of the union. That of course refers to the separate schools in Ontario and the dissentient schools in Quebec. When it speaks of 'or as thereafter established by the legislature of the province,' that is something new, and in order to ascertain what comes within 'separate or dissentient' you must look at what the nature of 'separate and dissentient' was at the time of the passing of the Act.

Applying the words of Lord Herschell to the law of 1875, what comes within the word 'separate' under the Act of 1875, if not a full system of separate schools as they exist in Ontario and Quebec when it was clearly stated by the legislators of those days that what they meant to do in the Northwest Territories was to establish the same system as that which was in existence in Ontario and Quebec? In the judgment that was delivered by Lord Herschell, he said:

The second subsection of section 93 of the British North America Act extended all the powers, privileges and duties which were then by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Roman Catholic inhabitants of that province to the dissentient schools of the Protestant and Roman Catholic inhabitants of Quebec. There can be no doubt that the views of the Roman Catholic inhabitants of Quebec and Ontario with regard to education were shared by the members of the same communion in the territory which afterwards became the province of Manitoba. They regarded it as essential that the education of their children should be in accordance with the teaching of their church, and considered that such an education could not be obtained in public schools designed for all the members of the community alike, whatever their creed, but could only be secured in schools conducted under the influence and guidance of the authorities of their church.

As I have said on a previous occasion it is most extraordinary that we should have to go to the Privy Council of England, to the Protestant statesmen of England, to have a clear interpretation of what our rights are. In this parliament, representatives of the Roman Catholic minority are ready to accept as satisfactory to the needs of their own fellow countrymen and co-religionists what according to Lord Herschell, cannot and does not constitute what is regarded as essential by the Roman Catholics. Surely I will not be accused of being more fanatical or bigoted than Lord Herschell. I think I am safe in saying that I am not a fanatic or a bigot because I still claim for my fellow countrymen in the Northwest Territories that justice shall be given to the minority there. Four years after the law of 1875 was adopted this parliament adopted an amendment to the Dominion Lands Act, in 1879, by which they adopted the principle of state aid to education. They laid aside, as is well known, two sections out of each township, the proceeds of the sale of which were to be placed in the hands of the Dominion government and the interest paid twice a year to the government of the Northwest Territories as well as to the government of Manitoba to be applied towards the support of schools. I suppose nobody will deny that the intention at that time was that the Catholic schools established under the authority of this government were entitled to receive their equal share as well as the schools established by the majority. Therefore, there was a subsection in clause 16, No. 1, as there is in clause 16. No. 2, simply fulfilling the moral obligation assumed by this parliament in 1879.

Now Sir, how did the Northwest Assembly proceed to act under the powers given to it by the Act of 1875. The Prime Minister has referred to the ordinance of 1884 as being the first school ordinance adopted by the Northwest Territories and as being the basis of their system up to the ordinance of 1892. I beg to differ with the hon. gentleman for the excellent reason that the ordinance of 1884 was never put in force, because it was found by the legislature that they had not the power to exercise the taxation part of it and it was only after an amendment was made to the Northwest Territories Act that they adopted the ordinance of 1885 which was the basis of the school ordinances of the Northwest Territories; so that the ordinance of 1884 was never put in force and cannot be considered the basis, though most of it is materially the same as the ordinance of 1885 except in one particular. The right hon. gentleman has read this afternoon the clause of the ordinance of 1884 which provided that no religious instruction, such as Bible reading or reciting or reading prayers, &c., was to be permitted in any public Catholic or Protestant school. The hon. gentleman has added that this remained the law of the Northwest Territories up to the present time. Again I beg to differ and if he refers to the ordinance of 1885 which was the first ordinance adopted, which was the basis of school legislation in the west for seven years, he will find that this clause of the ordinance of 1884 was struck out and that religious education was limited only so far as public schools were concerned. This is clause 78, of the legislation of 1885.

No religious instruction, such as Bible reading, or reciting, or reading or reciting prayers or asking questions or answering questions from any catechism shall be permitted in any public school of the Northwest Territories from the opening of such school at 9 o'clock in the forenoon until the hour of 3 o'clock in the afternoon, after which time any such religious instruction as is desired by the trustees may be given.

So that under the law of 1885 which remained the law until the passing of the ordinance in 1892, religious instruction was permitted in separate schools such as the trustees wanted to have. No interference was made by the local legislature, against their liberty, and it was only in 1892 that they returned to the legislation of 1884 which had never been put into force and which did not exist in the Territories until 1892. It was stated by the late Minister of the Interior (Mr. Sifton) that the system which was established by the ordinance of 1885 was to all intents and purposes what is called a church system. Of course I understood the hon. gentleman's object. It was desired by him at that time to use the cry which was being started in this country by some members of the opposition, and everything which scented of church, bishops or hierarchy, was to be used for the purpose of frightening the government. The schools established in 1883 as well as the schools in Quebec were schools under the authority of the fathers of families, the authority of the ratepayers, who elected their trustees and conducted their schools according to their views as free citizens of this country as well as fathers of families and therefore were entitled to whatever

they liked, within the purview of the law. That did not prevent the government of the Northwest Territories any more than the government of Quebec from carrying their right of supervision over the schools.

Mr. FITZPATRICK. Or vice versa.

Mr. BOURASSA. Any more in Quebec than in the Territories, but I am not now dealing with the school system in Quebec—in Quebec we have no such thing as church schools. You have them in Ontario, you have your Sunday school which is practically a church school. We have nothing of the kind, we have schools in which we allow and ask the authorities of the church to give religious instruction and conduct the choice of books from which religious instruction is to be given to the children. It is our right to do so and I think it is the best method by which religious instruction can be secured. The result is that out of these schools, under the pall of the church, under the domination of the hierarchy, we have no race of people growing up among whom exists that plague which has been denounced of late by the president of the United States, and by one of the Anglican bishops of this country, that plague of race suicide, which is so much spoken of. Perhaps if a little more church authority was brought into the schools and a little more religious teaching given in the majority schools of this country we would not have such denunciations as the chief statistician of the province of Ontario is bound to give every year in this connection.

Mr. SPROULE. If the hon. gentleman continues in his present mind there will be no danger of him raising up a race.

Mr. BOURASSA. I am not talking of that kind of process, I am not talking of the abstention process. The hon. gentleman knows that it is another kind of process that is carried on under our public school education.

In 1886 another ordinance was passed. This time they established what I may call as far as the system of schools is concerned, an ideal system, the system which gives full application to the intention of the federal parliament in 1875. Instead of having simply a dual system of schools, Catholic and Protestant schools, they established a triple system, public schools, nonsectarian, that were to be under the control of the full council, that is of the council composed of Protestants and Catholics alike. Then they had a system of public schools to be called Catholic public schools where the Catholics were in the majority and Protestant public schools, where the Protestants were in the majority, as well as Protestant separate schools and Catholic separate schools. Those schools not called either Protestant or Catholic were put under the control of the full council. The Catholic schools were left under the control of the Catholic section and the Protestant schools under the control of the Protestant section of the council. It may be said that this meant a great mixing up of authorities. Not at all, the whole administration of the schools system was left to the full council, but with regard to religious instruction, with regard to the inspection of separate schools, with regard to the choice of text books, each section had to provide for its own schools, and this was the only way in which it was possible for every one to enjoy liberty. That is the system we have adopted in Quebec and which up to this time has worked so happily.

I come now to the question touched by the Prime Minister this afternoon with respect to districts. Under the ordinance of 1885 you could organize a Catholic public school district or a Protestant public school district and the minority could secede therefrom and organize a separate school—the Protestants in a Catholic section or the Catholics in a Protestant section. Under the ordinance of 1886 they restricted the rights of the minority to this extent that the minority could only organize a separate school when the majority had organized a public school. This was reproduced in the legislation of 1888, and was pointed out by Sir John Thompson as an invasion of the rights of the minority because it prevented the minority from organizing before the majority had organized. The right hon. gentleman pointed that out this afternoon as the essential feature in existence then but he will allow me again to tell him he has left aside an important fact. Theoretically Sir John Thompson was right but in practice this did not work much to the disadvantage of the minority because it was not probable that a local minority would be ready to have a school before the majority had established its schools. But under the legislation of 1886 as well as under the ordinances of 1888, 1892 and 1896, the right of the majority to organize a Catholic public school district still existed, and it was continued till the adoption of the ordinances of 1901. It is only in the ordinances which we are now asked to adopt as a basis for the future rights of the minority, that the right to establish Catholic public schools where the Catholics are in the majority is taken from them ; and therefore it is only in the last four years that they have been deprived of this right. I find the evidence of that in what was quoted in this House the other day by the Minister of Inland Revenue. He said that the Catholic public schools were still acknowledged by the Northwest government, because in the report of the Department of Education for the year 1900, the year previous to the ordinance in question, they still recorded Catholic public schools. Although the rights of the Catholic minority had been abridged by the ordinances of 1887, 1888 and 1892, the rights of the Catholic local majority still existed, and they could still establish

Catholic public schools. But the only Catholic schools that exist at present in the Northwest Territories, and the only ones for which provision is made by this amendment, are nine separate schools; and the only provision you make, if you adopt the amendment proposed by the Prime Minister —which in my opinion has been imposed on the government by the late Minister of the Interior—is a provision to guarantee those nine schools to the Catholics, with one-half hour for religious instruction. After eight o'clock I will deal with other provisions of the ordinances of 1892 and 1901, and will show that so far as the teaching of French is concerned, they afford no guarantee whatever.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

VANCOUVER, VICTORIA AND EASTERN RAILWAY AND NAVIGATION COMPANY.

House in committee on Bill (No. 139) respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.—Mr. D. Ross.

On the preamble,

Mr. SPROULE. Is the government prepared to make any announcement regarding this Bill? The principle involved in it must be settled in this House.

Mr. EMMERSON. I suggest that the committee take up the other sections of the Bill excepting the 3rd, and by the time we take up the Bill again I will be in a position to announce the decision arrived at.

Mr. BARKER. I would suggest that the minister reserve section 4 as well as 3. We know why the minister proposes to reserve section 3, it was a suggestion made the other day in committee. In four provision is made for agreements between this company and companies in the States. I think the government would do well to consider that with the changes that they may make in section 3, because it might be possible under section 4 to do away with thte safeguards that may be provided by the government in section 3.

Mr. DUNCAN ROSS. The companies referred to in clause 4 are Canadian companies and Canadian lines, not American companies.

Mr. BARKER. It cannot do any harm to keep them. You have contracts with companies in the States, they are or may be traffic contracts, and the Minister of Railways knows that you may by traffic contracts do everything you could by the ownership of the railways.

Mr. BOURASSA.

Mr. EMMERSON. I see no objection to letting 3 and 4 stand.

On section 5,

Mr. HENDERSON. It was suggested by some person in the Railway Committee that an amendment should be made to section 5. I am not sure whether the promoter of the Bill had considered this or not. I will read the amendment, and if he approves of it, it can be put in; if not, I will not offer any opposition to it:

> The construction of the railway shall be commenced within two years after the passing of this Act. and the said railways which the company is authorized to build shall be finished and put in operation within five years after the passing of this Act.

The remainder of the clause is the same. The words struck out were in the first line 'authorized by the said Act of the province of British Columbia and by this Act, may.' I would ask the promoter of the Bill if he has considered the nature of this amendment, and whether he desires an amendment along that line. I understood the clause was desired in order to conform with the requirements of the Railway Committee.

Mr. EMMERSON. If any one had the intention of proposing such an amendment he did not make it known before the committee. I would call my hon. friend's attention to the fact that section 5 as now in the Bill is the standard section, and I think if we adopt the amendment it would be a departure from the course invariably pursued by the committee with respect to all Railway Bills.

Mr. HENDERSON. The amendment which was drafted and put into my hands seems to be for the improvement of the Bill, to make it conform with what is generally done in the Railway Committee. The clause makes reference to the construction of the railway authorized by the said Act of the province of British Columbia. Now are we not making a provision for the construction of the railway authorized by this Act? It seems to me that the clause offered is a limited clause, and will not in the event of section 3 being adopted cover the whole ground. However, I am not going to press the matter.

Mr. SPROULE. Clause 5 speaks of two companies:

> The construction of the said railways authorized by the said Act of the province of British Columbia and by this Act may be commenced within two years——

Is the railway not already commenced?

An hon. MEMBER. Yes.

Mr. SPROULE. Then why do we say it should be commenced within two years? It is proper to say that it should be finished within five years.

Mr. GALLIHER. I think that one of the objects of section 1 of this Act was to cure

any defect that might exist by reason of the particular section in the British Columbia Act, which stated that if a railway was not commenced within a certain time the corporate powers of the company ceased to exist. Now, we have cured that, as we believe, by section 1 of the Act. And that extends still further. We do not want the question whether or not that was commenced within the time prescribed by the British Columbia Act left in an uncertain state. We wish to make it definite and distinct by this provision.

Mr. HENDERSON. If the promoter is satisfied I have no reason to object.

Mr. MACPHERSON. I would like to give notice of a motion which I intend to move at the next meeting of the committee to consider this Bill. It will be to this effect:

The company shall, within two years from the passing of this Act, commence the construction of the western portion of the main line from a point at or near Cloverdale, and shall continue to prosecute the construction in an easterly direction to Princetown, as provided in the charter of the company, chapter 75 of 60 Victoria, statutes of British Columbia.

Motion agreed to, and progress reported.

PROVINCIAL GOVERNMENT IN THE NORTHWEST.

House resumed in committee on Bill (No. 69) to establish and provide for the government of the province of Alberta.—Sir Wilfrid Laurier.

Mr. BOURASSA. Mr. Chairman, when the committee rose at six o'clock, I had just made an analysis of the different ordinances that were adopted by the assembly of the Northwest Territories from 1884 to 1888, completing, to my mind, the historical sketch given by the Prime Minister this afternoon, and showing especially—and that was the point I insisted upon and still insist upon—that, so far as the organization of school districts is concerned, under all these ordinances the majority of any district remained entitled, as they had been under the law of 1875, to organize either a Catholic or a Protestant school. Most of the members of this House will remember that it was about these years that Mr. Dalton McCarthy began his movement for the abolition of the separate schools in Manitoba and the Northwest Territories, which, as he stated, was a preliminary step to the abolition of religious education throughout the Dominion and the abolition of French as an official language in Canada. The Minister of Justice (Mr. Fitzpatrick) stated some time ago that in the Northwest assembly, although the first opinion had been given in favour of abolishing separate schools, that opinion was not maintained by Mr. Haultain especially. I have followed the proceedings of the assembly of the Northwest Territories just as I have read all the ordinances, and not only a few of them. I have found that first in 1889 the Northwest assembly petitioned this parliament by two addresses, one asking for the repeal of clause 14 of the Northwest Territories Act in the revised statutes of Canada, and the other asking for the repeal of clause 110. Clause 14 provides for the maintenance of separate schools and the other provides for the maintenance of French as an official language in the Northwest. These addresses were not complied with in this parliament. In 1890, on November 18th, a resolution was introduced by Mr. Richardson and seconded by Mr. Brett, reaffirming the resolution of 1889. Perhaps for party reasons, certainly for reasons with which I am not familiar, Mr. Haultain opposed this measure, and it was defeated by a vote of 15 to 6. But, ten days afterwards, a resolution was brought forward by Mr. Cayley, seconded by Mr. Haultain, to the very same effect—reiterating the demands of the Northwest assembly of the previous year, and asking the Dominion parliament to repeal sections 14 and 110 of the Northwest Territories Act. So far as Mr. Haultain's intentions are concerned, I think there can be no doubt that from 1889 his aim, so far as education is concerned, was to do away with the dual system established under the law of 1875—and we shall see presently how far he has succeeded. Of course, as hon. members know, in 1891 Mr. Dalton McCarthy introduced a Bill that would have had for its effect the carrying out of the wish of Mr. Haultain and the Northwest assembly. But that Bill was rejected by this parliament. In 1892 the Northwest Territories adopted the ordinance that has been so often referred to. As the Prime Minister accurately stated this afternoon, the effect of that ordinance was to do away with the dual administration of the schools. The council of public instruction, composed partly of Protestants and partly of Catholics, which council divided itself into two committees for the supervision of the Catholic and Protestant schools, respectively, was abolished, and the government of the Northwest Territories in effect formed itself into an executive committee of public instruction, with a kind of advisory board, having nothing to do with the execution of the law and having only powers of advice. This may not be the most important point in the case, but it was certainly the beginning of what I call the policy of persecution inaugurated by Mr. Haultain in the Northwest Territories. Of course, opinions may differ as to that. But I am sure that if you have a system of separate schools, one of the essential bases of that system must be a body composed of men of the creed that has the right to the separate schools. In support of that I may quote an opinion which I am sure will be accepted by at least the majority of this House. In 1893, speaking

on a motion of Mr. Tarte, then member for L'Islet, condemning the Conservative government for their course on the school question, the leader of the opposition of that day, now Prime Minister (Sir Wilfrid Laurier), said :

I have quoted to you the law which now prevails in Quebec—the law demanded by the Protestant population of that province giving them a school board of their own. I have quoted to you the law whereby in 1869 two separate boards of education were organized, a Roman Catholic board and a Protestant board. The Roman Catholic board to-day is composed of seventeen members, nine Catholic laymen and all the Catholic bishops of the province. Now suppose that to-morrow the legislature of Quebec were to abolish the Protestant school board. Then, by the effect of that law, the management of the Protestant school would become vested in the Roman Catholic board of the council of education, that is to say, practically in the hands of the Roman bishops. If such legislation were to be enacted by the legislature of Quebec, is there a man to say that it would not be a most infamous act of tyranny.

Perhaps these words are a little violent. But if an Act of the legislature of the province of Quebec putting the management of the Protestant schools under a Catholic board would constitute a most infamous act of tyranny, then, using a more moderate language, I would say that the effect of abolishing the right of the Catholics to supervise their schools and putting the Catholic schools of the Northwest under direct and exclusive control of the Protestant board at least constituted an act of injustice.

It is well we should know exactly what the position was, viewed from a different point of view. I entirely agree with my right hon. friend the Prime Minister in the words he uttered this afternoon when he said that if we want to build up a nation we can only do it on the principle of conciliation and fair-play to everybody. But if we are to put such a principle into practise there must be one law for all—one law for Protestants and Catholics alike, one law for French, English, Scotch and Irish. What has been done by the territorial government would be qualified as an infamous act of tyranny had it been done by a Catholic government at the expense of a Protestant minority. Shall that, then, which we would condemn as infamous if done by a Catholic government at the expense of a Protestant minority be qualified as an act of conciliation and fair-play when performed by a Protestant government at the expense of a Catholic minority ? I leave it to the government to decide what difference there is between the two cases. But that is not the only point. If that had been the only attempt of the majority in the Northwest to deprive the minority of their rights, I would not be raising my voice in protest to-day. But the Protestant majority went further. They withdrew from the minority the right to choose their own text-books, which is another of those rights qualified by Lord Herschell as one of the essential rights pertaining to a system of separate schools. They also deprived the minority of their right to choose their own inspectors to inspect their schools, and of the right to give normal school training to their own teachers. They went so far as to compel the nuns to go out of the convents and take off their religious garbs if they desired to receive diplomas entitling them to teach ; and this order was passed by the paternal government of Mr. Haultain. Those religious teachers who were qualified in France and England and in the province of Quebec, who had been teaching, some of them, for thirty-five years, were put on the same footing as young girls who had not diplomas, unless they chose to submit to Mr. Haultain's Russian ruling. So far as religious teaching is concerned, Mr. Haultain said, in an interview which he gave to the Toronto 'News' on the 14th April, 1905 :

There are two or three clauses in the ordinance of 1901, which, it is now argued, go to limit separate school powers. Every one of them outside of that creating a commissioner of education, Mr. Haultain points out, appears in the previous ordinances under which the dual system prevailed. Section 137 prohibits religious instruction earlier than 3.30 p.m., The ordinance of 1884, and all succeeding ordinances forbade religious instruction earlier than 3 p.m.

The same statement was made by the Prime Minister this afternoon, but I have proved that it is inaccurate. Although that provision is to be found in the ordinance of 1884, it was never put into force. In the ordinances of 1885, 1886, 1887 and 1888, full liberty was given separate schools so far as religious teaching is concerned. It was only in 1892 that, for the first time, was applied the ordinance limiting the right of religious instruction in these schools. On this point I want to correct a mistake made, not only by Protestants, but by Catholic members of this House. What we ask is not that the catechism be taught for half an hour during the time given to religious instruction. I have been in one of those church schools in the province of Quebec, and there all the teaching of catechism we had only took up one hour a week. But what we claim as inseparable from separate schools is that in the teaching of history, in the reading books, in the study of classical authors, we should have the right to impress upon the minds of the children the principles of our religion, and this again has been positively stated by Lord Herschell, in the second case of Manitoba, as one of the essential features of the separate school system, so far as Roman Catholics are concerned. Affidavits were produced there, just as declarations have been made here, to the effect that several Catholics did not care for that kind of religious teaching. But, as one of the other members of the Privy Council said : Whatever may be

the views of private individuals among Roman Catholics, it is well known that one of the bases of the Roman Catholic religion, so far as teaching is concerned, is that the Catholic idea should permeate the whole system of education; and when you deprive Catholics of the teaching of history in their own way, you deprive them of one of the essential rights of separation.

The provision with regard to the teaching of language was also changed. In the preceding ordinances, even in 1888, Sir John Thompson pointed to one of the clauses as being unwantonly complained against by the minority. That clause was to the effect that the teaching in English was imperative in the schools. On that point I share the opinion of Sir John Thompson. There was no harm in that. French Canadians do not object to it. We all wish to learn English. I may say, without boasting, that, so far as the study of the dual language is concerned, we are far in advance of any of the English-speaking provinces. Take, for instance, only this House, and I ask what is the proportion of English members who have taken the trouble to learn French compared with the number of French-speaking members who speak English? In this country, where one-third of the population is French Canadian, where the whole system of our constitution is based on a fair understanding between the two races, it should be the duty of every provincial government to insert in its education laws the provision that both languages should be taught in its schools. Let those gentlemen who are often so ready to give lessons in loyalty go to the mother country, and they will find that no man in England considers his education complete unless he learns the French tongue. Here in this country, where the French is the mother tongue of one-third of the population, why should so many of our English-speaking fellow-citizens show that blind inexplicable hatred against the teaching of French in our schools? Make the teaching of English imperative if you like, but give the French Canadians the right to impart the most important part of our teaching in French. That I maintain is perfectly just. But under the ordinance of 1892 the teaching of French was prohibited in the Territories, and it became imperative that all matters should be taught in the English language. Why, at a banquet given at Prince Albert some years ago, at which I was present, I heard one of the oldest school inspectors telling the audience, in the presence of Mr. Haultain, that their educational system, in so far as the teaching of languages was concerned, was absurd, unjust and criminal. He ridiculed the idea of forcing small children of five or six years of age to study geography, history and arithmetic in a foreign tongue. What happened after the adoption of the law of 1892? Inspectors were sent by Mr. Haultain to examine the schools. These inspectors questioned the children on all matters taught in the schools in a language which they had never learnt at their homes, and the inspectors reported to the Department of Education in Regina that the nuns and friars were not fit to teach, because the children could not reply properly to the questions put to them.

I admit that under the law which is still on the statute-book of the Northwest Territories, under which the teaching of French is prohibited in the schools, you are allowed to give a primary course in French to small children of five to eight years of age. But you have not the right in a school that you pay for with your own money, where you have teachers paid by yourselves, to insist that your children shall acquire a perfect knowledge of their mother tongue. As far as that is concerned, I may quote to my hon. friends on the other side of the House language which will perhaps bring them back to a better understanding of this question. We are now told that we should adopt as the basic law of education for these provinces a law which stamps out the language of one-third of the people of this country as an uncivilized language. What were the remarks made by the late Sir John Macdonald upon this point? When opposing a Bill introduced into this House by the late Dalton McCarthy, Sir John Mcdonald said:

> The reason why I oppose the Bill of my hon friend to-day is the same, because that Bill, a small Bill—I might almost call it an insignificant Bill in its enacting clause—is based on the purpose of doing away with the French language, of discarding the French language, at all events, and depriving the French Canadian people of the solace of the language they learned at the feet of their mothers. Why, Mr. Speaker, if there is one act of oppression more than another which would come home to a man's breast, it is that he should be deprived of the consolation of hearing and speaking and reading the language that his mother taught him. It is cruel. It is seething the kid in its mother's milk.

I want to make my French Canadian friends in this House understand that in accepting this as our honourable compromise, in voting for this in a spirit of conciliation, they are voting for what has been denounced by Sir John Macdonald as one of the most infamous acts of oppression that could be charged to any man.

Mr. LALOR. The hon. gentleman says that he is addressing these remarks to this side of the House. May I ask him if that proposal does not come from his own side of the House?

Mr. BOURASSA. Certainly, I am addressing it to the other side.

Mr. LALOR. Apply it to both.

Mr. BOURASSA. I apply it to both fully, and if the hon. gentleman listens to me he will see that I am not trying to make any party politics out of this question. If

the hon. gentleman wants to know, it is very clear that I have used the language which I have in reply to some of his friends and especially to the hon. member for Victoria and Haliburton (Mr. Hughes) who, either at London or at Woodstock, said that whatever the French Canadians had in this country had simply been gracefully granted to them by the majority because they are a conquered people. In the province of Quebec even such language is used.

Mr. LALOR. In opening your remarks upon that question you said that you were speaking not to hon. gentlemen on this side of the House but to the government who are making this proposition.

Mr. BOURASSA. If the hon. gentleman will keep quiet I will explain later on the position I take towards both parties, but if he wants me to be clear on this point, I may say that unfortunately his party started the racial cry, and that this party unfortunately is too cowardly to resist it. As far as the rights of the French Canadians in this country are concerned, I again quote the language of the late Sir John Macdonald. I do not suppose that Sir John Macdonald will be denounced even by members on this side of the House as a French demagogue.

> I have no accord with the desire expressed in some quarters that by any mode whatever there should be an attempt made to oppress the one language or to render it inferior to the other. I believe that would be impossible if it were tried, and it would be foolish and wicked if it were possible. The statement that has been made so often that this is a conquered country is 'à propos de rien.' Whether it was conquered or ceded, we have a constitution now under which all British subjects are in a position of absolute equality, having equal rights of every kind—of language, of religion, of property and of person. There is no paramount race in this country; there is no conquered race in this country; we are all British subjects, and those who are not English are none the less British subjects on that account.

By the language of Sir John Macdonald, I am ready to abide. These Northwest Territories had, unlike British Columbia, Nova Scotia and New Brunswick, no sovereignty when they came into this confederation of ours, but they were purchased by the people of Canada, by all the people of Canada, paid for by the whole people, and I say we have the right to stamp on these Territories the principle laid down by Sir John Macdonald in this House when he said that there is no conquered or inferior race, and that this country was born and it can only live upon the principle of equal rights for all races, equal rights for the French language and equal rights for the Catholic religion.

I ask no privilege for my church or for my language. But I say that while we still have the sovereignty to declare what the constitution of these Northwest provinces shall be, if we want to be true to ourselves and true to our country, if we want to build up a nation on the principle of conciliation, equal rights and fair-play it is our duty, not because we want to submit to the influence of the church or to conciliate the French vote, but because, whatever may be our creed or origin, we want the Northwest Territories to be built up on the same principle as that which was adopted by the fathers of confederation; that is equal rights to the French language, equal rights to the Catholic religion and equal rights to all parties whatever may be their religion or creed.

There was in the ordinance of 1892, a clause relating to the organization of the districts which remained what it had been in the previous ordinance; that is that the Catholics when they were a local minority in any district were still under the disposition which was denounced by Sir John Thompson in 1890 under which the Catholics could organize a minority separate school only when the majority had organized a public school. As I stated this afternoon, practically speaking this was no detriment to them because the majority were always ready to organize their schools before the minority, but as far as the majority were concerned, even under the ordinance of 1892, they observed the spirit of the law of 1875 and allowed the Catholics where they had a majority, to organize the majority school which was called a Catholic public school. So that, we have to come to the ordinance of 1901, which I will consider in a moment, to find out the disposition which was spoken of by my right hon. friend the Prime Minister this afternoon. An effort is now being made to create the idea that the minority in the Northwest Territories had accepted the ordinance of 1892. But, it must be remembered that the Catholic minority came before the Privy Council of Canada and asked for the disallowance of this ordinance. Upon this point I wish to correct the argument which my hon. friend from Beauharnois (Mr. Bergeron) made in reply to the Minister of Inland Revenue (Mr. Brodeur). The hon. member for Beauharnois stated that the reason why the ordinance of 1892 was not disallowed was that the dispositions of which the Catholics complained in that ordinance were contained in a previous ordinance. My hon. friend, on that point, was mistaken. He confounded 1892 with 1888. When the law of 1888 containing a special disposition in regard to minority schools was brought before Sir John Thompson, he argued that it would be useless to disallow that ordinance because it would simply put into force the ordinance of 1886. But, the ordinance of 1892 was entirely new legislation. The reasons that were given by Sir John Thompson for not disallowing the ordinance of 1892 were these:

I think the principal reason was perhaps

the same reason that this government has to-day for not doing justice, the principal reason probably was that Sir John Thompson, who had been attacked by a certain wing of his party, wanted to have himself forgiven for being a Roman Catholic. That was the political reason. The ostensible reason given by Sir John Thompson was that the time was too short because he had received the petitions only a few days before the year elapsed, and he gave further this reason, that the complaint of the Roman Catholics was rather based upon dangers which might arise from the ordinances of 1892 and that they had not yet received any ill-treatment under these ordinances, that he did not see any special article under these ordinances which clashed, in his opinion, legally with the dispositions of the law of 1875. As the Prime Minister has rightly stated this afternoon, the law of 1875 did not pretend to be a public instruction law, it was simply an organic law to be considered the basis of future legislation.

Mr. BERGERON. And is still the law.

Mr. BOURASSA. Certainly. There is no doubt the ordinance of 1892 was against the spirit of the law. Of course when it comes to the fine legal point as to whether this or that article of the ordinance of 1892 was legally against the law of 1875, there is no doubt, I suppose, that Sir John Thompson could find the same easy excuse that the leader of the opposition and that the government are now finding in order not to do full justice. But I want to remind gentlemen on both sides of the House that the fact that the ordinance of 1892 was not disallowed did not have the same result as if it had been a law from another province, that the fact that the ordinance of 1892 was not disallowed within the 12 months following its sanction by the Lieutenant Governor of the Territory did not deprive this parliament of the right of rendering justice when these dangers which Sir John Thompson pointed out as being only in the future were to arise. In connection with this I will quote the words of Sir John Thompson in a debate in this House on a motion by Mr. Tarte asking for the production of documents with reference to separate schools in Manitoba and the Northwest Territories. This debate occurred in the early part of the session of 1894 and the quotation is to be found at page 2059 of 'Hansard.' It is as follows:

Sir JOHN THOMPSON. Let me call attention especially to the differences which exist, as to the disallowance, between an ordinance of the Northwest Territories and the statute of a province. If a year is allowed to elapse without the disallowance of the statute of a province, that statute being within the provincial powers —and that is practically admitted here, except for the statement of Mr. Justice Rouleau, which I shall not discuss—that statute becomes law and is beyond the reach of any power but the legislature which enacted it. But, as regards an ordinance of the Northwest Territories, it must be remembered that this parliament has control of the Territories in a fuller and more absolute sense than it has control of the provinces. We have a limitation upon our power with regard to the provinces; we can only exercise our jurisdiction within a limited sphere. But from day to day everything that happens within the Territories is within the jurisdiction of this parliament, no matter what the legislature of the Territories may do with regard to it. So, instead of being limited to the immediate exercise of the power of disallowance, as in the case of provincial statutes, we have the power from day to day, and from year to year, to correct any substantial grievances found to exist there, if the legislature should turn—though I am sure it would not—a deaf ear to those complaints.

So that the position taken by Sir John Thompson was that, although he did not think proper to disallow the ordinance of 1892, he maintained the right of this parliament to pass legislation at any time, because, as he said, the Territories were still under our control. Sir, it was so very true that in that very debate leading members of the Liberal party, although it had been about 15 or 18 months after the ordinance of 1892 had been passed, made passionate appeals to this parliament to have some kind of remedial legislation passed, and I may say that one of the most eloquent on that occasion was the member for Rouville, now the Minister of Inland Revenue (Hon. Mr. Brodeur), who said:

I will ask my hon. friends on this side who come from Ontario to be just to the Catholics of the Northwest as their great leader in provincial politics is just to the Catholics of this province. We hope——

Mind you, this was three months after the appeal for disallowance.

We hope that they will help us restore to the Catholics of the Northwest the rights of which they have been deprived, and I trust the Liberal party will continue to be just, as it has always been, to the minority.

I echo these sentiments. I say that this parliament has always the right at any time on any occasion to remedy the injustice that was committed in 1892. Is this not the very occasion when we are going to abandon all that right of sovereignty which we now possess, when we are going to hand over for ever to the provinces the right to deal with these matters, reserving to ourselves what I might call the empty right of remedial legislation under clause 93? If there is a time when we should not create injustice it is when we are building a constitution in that country. If there is a time when we should do that justice for which my hon. friend the Minister of Inland Revenue (Mr. Brodeur) was appealing to the English-speaking Protestant Liberal members of this House in 1894, I think this is the occasion and it is the only occasion, and if you let it pass justice will never be done.

Mr. R. L. BORDEN. Hon. members on the other side of the House from the English-speaking provinces have described themselves in nearly every case as extremely tolerant, so I have no doubt that if the Minister of Inland Revenue appeals to them now he will be met with a response which will surprise him.

Mr. BOURASSA. If my hon. friend wants my straight and candid opinion I am fully convinced that if this question had been put squarely before the true Liberals of this country, as it should have been, instead of seeking subterfuges as we have seen during the last three months in this parliament and in the country, justice would have been done. I know that the elections of London and Oxford have been carried on just as if this amendment had not been presented. Did the electors in London and North Oxford enter into all the fine distinctions that have been made by the lawyers in the House? No, Sir, they were appealed to by gentlemen on the other side of the House: Don't vote for Hyman and the Pope and Sbarretti. So I say, Sir, if the electors of London and North Oxford have shown themselves intelligent enough, as I was sure they would, to resist that cry, is there a true Liberal in this House who will contend that if it had been proven that justice was not going to be done by the amendment forced upon the government by the member for Brandon (Mr. Sifton) they would have gone back, they would not have voted for Hyman and Sbarretti and the Pope just the same? No, Sir, I repeat what I have said. In the discussion on this whole question on both sides of the House there has been shown a lack of courage and a lack of sincerity that is not to the credit of the parliament of Canada at a time when we are going to constitute two of the largest provinces of the Dominion. This language which I have quoted from Sir John Thompson and the Minister of Inland Revenue (Mr. Brodeur) disposes of that argument which is now made in Quebec by the government's organs, by 'Le Canada' and 'Le Soleil,' that if we are now bound to submit to the terms dictated by the member for Brandon (Mr. Sifton) it is because the Conservative government in 1892 did not disallow the ordinance. That is no excuse; it does not excuse the government of 1905 for not doing their duty because the government of Sir John Thompson was not up to their duty.

Mr. R. L. BORDEN. Do they take the ground that the refusal of parliament and the executive of 1893 amounted to a compact?

Mr. BOURASSA. That is not my ground.

Mr. R. L. BORDEN. No, that is the argument that was made.

Mr. BOURASSA. Certainly, that is the argument—that the Conservatives not having disallowed the law, we cannot make any change in it. That ordinance of 1892 remained for some time. In 1896 it was recast, but without any material change. In 1898, again, the ordinances of the Northwest were re-cast, but the School Ordinance remained in all important respects what it was in 1892. In 1901 the ordinances which are to be the basis of this honourable compromise were adopted, and it is necessary for us to consider what are the most important dispositions of those ordinances. As was stated by the Prime Minister this afternoon, the only important change in the management of the schools was that the old system of the government of the Northwest forming practically the board of education with the addition of two Catholics and two Protestants, was abolished. The new law created a department of public instruction, at the head of which was one of the ministers of the government. In clause 8 it was enacted:

> There shall be an educational council consisting of five persons, at least two of whom shall be Roman Catholics to be appointed by the Lieutenant Governor in Council; who shall receive such remuneration as the Lieutenant Governor in Council shall determine.

This educational council as well as the preceding one was only an advisory board, and the whole management of the law remained in the hands of the commissioner. The selection of text books, the inspection of schools, the normal training of teachers —all these dispositions remained, what they were under the law of 1892 and the succeeding ordinances. The disposition as to the French language was practically the same as it was in 1892; but on this point I would like to have my mind made clear by some higher legal authority than myself. The other day I understood some member of this House, I do not know on which side, to speak of the guarantee given to the minority that their language would be taught in the future, in the separate schools or the public schools, and I understood the Minister of Justice to say that there was no guarantee whatever, either in the clause now submitted or in the previous one, with regard to the teaching of the French language. May I ask the minister if I am right on that point?

Mr. FITZPATRICK. The law respecting that question as it is now in the Territories will be continued in its present form.

Mr. BOURASSA. I wish to understand if the clause, stating what is guaranteed to the minority with respect to separate schools, covers a guarantee that the government of the Northwest cannot deprive the French-speaking people of the teaching of French.

Mr. FITZPATRICK. The question of religious education and the question of the French language are entirely different. There is no connection between them.

Mr. BOURASSA. Certainly; that is what I have always understood. But the government organs in the province of Quebec during the last month, among them 'Le Canada','Le Soleil' and 'La Patrie', have stated that under these ordinances as well as under the clause in the government Bill, the teaching of French is guaranteed for all time; and I wanted to elucidate the fact from the Minister of Justice. I know that it was not guaranteed in the clause as at first introduced, because, as the Minister of Justice says, the question of separate schools was never regarded as having reference to language, but only as referring to creed. But let us see how under the paternal legislation of Mr. Haultain religious education and the teaching of French are guaranteed, I will not say in the Catholic public schools—that is, those that are organized and paid for by the Catholics and French Canadians—but in the only separate schools that are now left to the French Canadians of the Northwest. Clause 136 of the ordinance says :

All schools shall be taught in the English language, but it shall be permissible for the board of any district to cause a primary course to be taught in the French language.

Clause 137 provides for religious instruction :

No religious instruction, except as hereinafter provided, shall be permitted in the school of any district from the opening of such school until one half hour previous to its closing in the afternoon, after which time any such instruction permitted or desired by the board may be given.

Now, section 133 says :

School shall be held between nine o'clock and twelve o'clock in the forenoon and half-past one o'clock and four o'clock in the afternoon of every day, standard time, not including Saturdays, Sundays or holidays, but the board may alter or shorten the school hours upon receiving the permission of the commissioner.

Now let us look at the regulations which are adopted by the department of education under section 7, and therefore form an inseparable part of the law under which this honourable compromise is going to be effected. As hon. members may have noticed, section 133 says that the trustees may shorten the school hours with the permission of the commissioner. Now, what is the regulation on that point ?

School shall be held between the hours of nine o'clock and twelve o'clock in the forenoon and half-past one o'clock and four o'clock in the afternoon (standard time) of every day except Saturdays, Sundays, and days declared to be holidays by or under the School Ordinance.

This is in conformity with section 133 of the ordinance. But article 16 of the regulations says :

The board of any district may direct that school be opened at 9·30 a.m., during the whole or a portion of the months of November, December, January and February ; and the board of any rural district may direct that only one hour's intermission be taken at noon, in which case school shall be closed at 3.30 p.m.

Article 17 says :

During both the morning and afternoon sessions recreation periods of fifteen minutes each shall be allowed all pupils attending school. Upon direction of the board all or any of the pupils in Part I of Standard I shall be given additional recreation periods not exceeding one half hour during the day ; and in town and village districts the board may direct that all or any of such pupils may be allowed to leave for their homes at any time between 11 and 12 a.m., and 3 and 4 p.m.

So that it will be seen that when the parents or trustees in the Northwest want to do what is done in every civilized country, that is, to have shorter hours for the younger children, in order that they may get a little fresh air and go home earlier, the only time they can do that is from three to four o'clock in the afternoon. What about the clause permitting the teaching of French to these young children, who are the only ones allowed to be taught French ? Article 25 of the regulations says :

Subject to the provisions of section 136 of the School Ordinance the board of any district may employ one or more competent persons to instruct the pupils attending school in any language other than English. Such instruction shall be given between the hours of three and four o'clock in the afternoon of such school days as may be selected by the board and shall be confined to the teaching of reading, composition and grammar. The text books used shall be those authorized by the commissioner of education.

They are not allowed to read even the history of their own country in their native language. They are not allowed to read the history of the province of Quebec in French. More than that, if they are allowed to have half an hour of religious teaching, that half hour must coincide with the time they are allowed to go home, and if they want to be taught French also, they must learn it in the half hour in which they are allowed to have religious instructions. This is the law we are asked to consider as a fair compromise in the interests of the minority. Sir, there are no such restrictions imposed on any one of the conquered provinces of India—I am not speaking of the semi-dependencies. Go into the Punjaub or Bengal, and I say that in those provinces the autocratic power of the British government would not dare to impose on the natives a law such as we are asked in this parliament to adopt as the basis of our constitution, and that in a country in which we are supposed to enjoy some kind of constitutional right and which, in the words of the leader of the Conservative party, should not be considered as a conquered country. Why, in South Africa, Lord Kitchener offered to the Boers, who had just laid down their arms, terms as to their

educational system much more liberal, much more regardful of their religious and national rights than Mr. Haultain has granted to French Canadians of the Northwest. And our French Canadian representatives here are ready to accept that system as a guarantee of the rights of their fellow countrymen. Let me tell them that there is not much pride and not much spirit in them if they do.

It has been said that the Catholics, at least where they have a majority, are free to engage their own teachers, that they are free to elect their own trustees, and may then avail themselves of the right to choose their own teachers. But it must not be forgotten that, so far as these teachers are concerned, they must of necessity, under subsection 17 of section 95, be qualified under the regulations of the department of education. If this had only reference to the technical knowledge of the teachers and their pedagogical qualifications, I would have nothing to say. Our teachers are not afraid to submit to any kind of an educational test. I do not see why our teachers in the Northwest should not be able to obtain their share of the diplomas, especially when our students in the colleges of Manitoba generally take three times their proportion of the university honours in that province. But there is everything in this ordinance to prevent Catholic teachers from attending the normal schools. For three years during Mr. Haultain's administration, from 1892 to 1895, Catholic teachers were precluded from following the courses of the normal schools. True in practice more toleration has been given, and that is the reason why there are not more protests from the Northwest. The Catholic minority in the Northwest are being deceived by the government organs just as are the people of the province of Quebec. They have been told that the object of this legislation is to keep to them everything they now have in fact. Not later than six o'clock this afternoon, a friend of mine told me that the object of the amendment moved by the First Minister was to keep to the minority everything they have in practice. But let us not suffer under any delusion. The only thing guaranteed by the amendment is what the minority may have with respect to separate schools under the ordinance of 1901. That ordinance contains everything sufficient to stamp out the teaching of French and religious teaching in the Territories. It may be said that the governments of the new provinces will not rigidly apply it. But if we are to rely upon the generosity of the majority of the people, why put anything in the law at all ? But do not come and make the people in the province of Quebec, or the minority in the Northwest, believe that you are guaranteeing the minority the right to choose their own teachers or to have the French language taught in their own schools or Catholic education. You are guaranteeing nothing of the kind. The whole guarantee is contained in the declaration of the Minister of Justice made a few days ago. You guarantee the right to have separate schools wherever there is a minority. Where the Catholics are in a majority, they have no such right. And where they have the right to separate schools, all that right consists in their being given the liberty to have half an hour of religious teaching and the choice of two primary readers for the younger children. More than that, under the ordinance of 1901 the government may dispense at any time with the trustees. The board of trustees may be suppressed at any moment. Under section 7, subsection 2, the commissioner of education has the right :

> To appoint an official trustee to conduct the affairs of any district, and any such official trustee shall have all the powers and authorities conferred by this ordinance upon a board of its officers ; and shall be remunerated out of the funds of the district or otherwise as the Lieutenant Governor in Council may decide ; and upon the appointment of any such official trustee the board of any district for which he is appointed shall cease to hold office as such.

It may be said that this is only in cases where financial difficulties may prevent the trustees from acting. No, that is provided by another clause. Section 51 provides for the disorganization of a school district and the administration of its affairs in cases of financial difficulty. Section 7 gives ample power, without qualification or limitation, to the commissioner to dispense with the trustees and in this way deprive the people of the right to have trustees. So that even that primary right is not guaranteed either for the public schools or separate schools under the ordinance of 1901. It may be said that the provision, which I was the first to point out, with respect to the organization of public school districts was unintentional. The right hon. the First Minister this afternoon tried to connect the provision of the ordinance of 1901 with the preceding ordinances. But, as I have said, if you go to the ordinances of 1886, 1888, 1892, 1896 and 1898, you will see that any three resident ratepayers could organize a school district without any qualification, and the Catholics always could organize Catholic public schools wherever they were in a majority. In 1901, however, this was changed, and for the first time there was in the ordinances a provision which allowed only public schools to be created—article 12 of that ordinance, under which any portion of the Territories may be erected into a public school district.

The hon. the Minister of Inland Revenue (Mr. Brodeur) quoted some few days ago a document which, I think, was sent to the Department of Justice from the Northwest giving the number of Catholic public schools in the Territories, and the hon. minister drew the inference that there are still

such things acknowledged by law as Catholic public schools in the Northwest. But, as I have said, the only four reports of the department of education that are in this parliament are the reports of 1900, 1901, 1902 and 1903. In the report of 1900, which was the last one published before this ordinance of 1901, as a matter of fact the existance was acknowledged, on the 31st December, 1900, of 565 public schools, 46 Roman Catholic public schools, 13 Catholic separate schools, 2 Protestant separate schools and 4 schools in unorganized districts. But in the following reports, all public schools are classed under one heading and there is no such thing, legally, as a Catholic separate school. And the document quoted by the Minister of Inland Revenue (Mr. Brodeur) is proof of what I say. In the practice, but not in the law, they continue to speak of the schools organized before 1901 as Catholic public schools. The number of these stated by the minister was about 45, I think.

Mr. BRODEUR. About that, I believe.

Mr. BOURASSA. That is an evidence of what I have stated. On 31st December, 1900, the number of Catholic public schools was forty-six; and what they call Catholic public schools are the remnant of the Catholics schools. I have received information from the Northwest Territories within the last few days that the schools organized since 1901 by Catholics were not allowed to bear the name of Catholic public schools. But I have here also an official document of the government of the Northwest Territories to the same effect. At Oakhill, there was a petition signed by Catholics asking for the organization of a Catholic public school. And here is the reply of the Deputy Commissioner of Education :

Regina, January 31st, 1905.

Sir,—In reply to your letter of the 29th ultimo, I beg to say that your school district, when established, will be called the Oak Hill school district. The present school law does not make any provision for the organization of Roman Catholic public school districts.

Your obedient servant,
(Sgd.) J. A. CALDER,
Deputy Commissioner.

F. A. Bennett, Esq.,
Otthon, Assa.

I already knew that. The fact had been stated to me by people who reside in the Northwest. It had been stated to me by people who have come back from the Northwest that they had tried, time and again, to procure from Regina, as before 1901, the establishment of a Catholic public school, and they were told that to organize a Catholic public school district was not allowed, and the only Catholic schools they were entitled to organize was in cases where they were the minority.

Mr. BRODEUR. I have here a statement signed by the Deputy Minister of Instruction for the Northwest Territories, and in it the schools are divided into public schools, Roman Catholic public schools and Roman Catholic separate schools.

Mr. BOURASSA. What is the number of Roman Catholic public schools?

Mr. BRODEUR. Forty-nine. My hon. friend (Mr. Bourassa) says that there has been a change since 1901, but here is a statement signed by the Deputy Commissioner of Education stating that there has been no change.

Mr. BOURASSA. If my hon. friend (Mr. Brodeur) had followed me he would have understood that I stated positively that the change left intact the name of Catholic public schools as applied to those organized before 1901. It was then that these forty-nine schools were organized. But every school organized by the Catholics since has been refused this privilege. There are now 150 schools organized and supported by Catholics that should be called Catholic public schools. Only forty-nine appear now. Why? Because that is all the remnant of those established previous to the ordinance of 1901. All the others were refused, as shown by the document I have just read, which emanates from the same authority that the Minister of Inland Revenue (Mr. Brodeur) has quoted. And everybody who has been in the Northwest knows that these are the facts. Since 1901, the Catholics have no right to establish a Catholic public school. Yet, as I have said, there are 150 schools that should be known by that name. I venture to say that nine-tenths of the Catholics of the Northwest Territories live in school districts in which they form a majority. And here we have the result—not one more Catholic public or separate school to-day than four years ago. And this has been pointed to with pride by the Minister of Finance (Mr. Fielding) as showing the disposition of Catholics not to organize more separate schools. When the law of the land is against you and you cannot get justice at the hands of the sovereign parliament it is hardly to be wondered at if you do not do exactly what you would like to do. As the Prime Minister (Sir Wilfrid Laurier) has said, the effort has been to make the Catholics believe that they were receiving bread when they were being given a stone. The Prime Minister has quoted Bishop Legal. 'Le Canada,' of Montreal, had for three weeks, under great headlines, a statement of the alleged opinion of Bishop Legal—because both parties in Quebec still like to use the name of a bishop, when it is to their own advantage. Bishop Legal was quoted as saying : We are satisfied with the school system of the Northwest, and we desire to have it continued. 'Le Canada' gave that as the approval of Bishop Legal of the present amendment. And, when asked three or four times to produce their authority, they had to admit that this was

an extract from an interview given about a month before the amendment was known—that is, given about the time the Prime Minister brought in his Bill and made the speech of which all fair-thinking people of this country thought so much. What Bishop Legal approved, and what the Catholics want, is not merely these nine paltry separate schools, not merely the half hour of religious instruction in these schools. The Catholics of this country are under a false impression, as they have been kept under a false impression as the people of Quebec are being kept, by the government's organs. They believe that what is being given is the guarantee of the continuance of what the Catholics in the Northwest enjoy to-day. That is a widespread impression. A friend of mine from Ontario told me only to-day, that it was unreasonable for us to expect to get more than we now have. Why, Sir, give us what we have, even though it may not be one-quarter of what the minority in Quebec are guaranteed—I admit that it is useless to ask for a French-speaking minority anything like what we have been ready to give the English-speaking minority of Quebec—and I would show my spirit of conciliation, by saying: I accept. Give these people the right to their separate schools, their Catholic schools, controlled by the government, where they are a majority as well as where they are a minority, and I will abandon the rest. I will even agree to the keeping of the uniform system which the Prime Minister has declared would be an act of infamous tyranny if committed by the province of Quebec. I will say that in the Northwest it will not be an infamous act of tyranny. I am willing to trust to the generosity of the people of the Northwest if you give us separation. The reason is obvious. I think I know the English-speaking people; I know their good qualities. They may have the spirit of domination, but they have not the spirit of persecution. An Englishman will not go into your home to force you to adopt his ways of living. But if you live in the house with him, he will try to compel you to live his way. This is but an exaggeration of a good quality in the English—the strength of will and persistency of purpose. It is not surprising, that, having had large success in spreading their institutions and power over so many lands they should be convinced even in an exaggerated form at times, that their institutions are the best—that they should be convinced that because they eat roast beef nobody else should eat chicken. But as I say, the Englishman will not go to another man's house to persecute him there. So, if this principle of separation is recognized, I am willing that we should be deprived even of the provisions of the Act of 1875, and be submitted to provisions, which if enacted by the representatives of the majority in Quebec would be immediately denounced as tyrannical.

I am ready to accept all that, but I ask you only this, give me the right to schools for the people forming the majority as well as the minority. Is that unreasonable? Was it really the intention of this parliament to say that if Catholics happened to be one-third of the population of a district they shall have a separate school, but if they happen to be two-thirds they shall not have a separate school? Did the Liberal members of this House, when they accepted this amendment, think that the effect of it would be to deprive nine-tenths of the Roman Catholics of separate schools? I am sure that if the Prime Minister, or even the leader of the opposition, yes, if the majority of the two parties were appealed to, they would say, let us give to these people what they have a right to. I say there are not ten members of this House who knew what the disposition of this amendment was. The first time I spoke of it, I was denounced as a crank, the government organs in the province of Quebec laughed at me, but the Minister of Justice acknowledged that my position was right, the Prime Minister acknowledged it; and consequently the government organs in Quebec changed their tune and now acknowledge that I was right. Now they say, What the member for Labelle said a month ago is true, but we cannot get any more because the English Protestants will not give it. Sir, what is done now in Canada in the name of conciliation, is of a strange character. I appeal also to this House on the ground of conciliation, on the ground of an honourable compromise. But what is conciliation? Is it what the Minister of the Interior has said it was in the province of Ontario? He said, we are told that we have abolished separate schools in the Northwest, why don't you do the same in Ontario? Is that the basis of conciliation? Now, what was the ground taken by the Minister of Finance? He says there are in this country 40 per cent Catholics, and therefore you must respect them. In the maritime provinces we give them separate schools, although they have no right to them. In the Northwest Territories we are bound by pledge of this parliament to keep separate schools. But we are entitled to the confidence of the Protestants of Canada because in violation of all pledges, we do not give to the Catholics of the Northwest what they are entitled to, that which we give to the Catholics in Nova Scotia who have no right to it. Is that the basis of an honourable compromise? Is that abiding by the spirit of the British constitution? At the same time the government organs in Quebec are saying that it is useless to ask from the Protestant majority any justice for Roman Catholics. Sir, I claim that both these positions are

false. I claim that if a straight appeal was made to the people of the English-speaking provinces to give to the Roman Catholic minority in the Northwest one-tenth of the privileges possessed by the Protestants in the province of Quebec, the same response would be given that has been given in London and North Oxford. In spite of the position taken by the Minister of the Interior and the Minister of Finance, I claim that the majority of the people of London and of North Oxford voted in the belief that they were giving separate schools to all the Catholics of the Northwest. I would ask the Minister of Public Works, I would ask the newly elected member for North Oxford (Mr. G. Smith), whether 5 per cent of the electors who voted for them supposed that they were depriving nine-tenths of the Catholics of the Northwest of separate schools. I know they did not think so. I will go further, and I say there were not ten electors on the government side who knew the real meaning of this law.

Mr. SPROULE. That is complimentary to the intelligence of the electorate.

Mr. BOURASSA. After what has been said on both sides in this House, I doubt whether 1 per cent of the electors of this country really know where they are. Now, Sir, I think this disposes of the argument that the minority are satisfied, as it also disposes of the argument that the English-speaking majority in this parliament and in this country are not prepared to do justice. Now we are told that the second clause is clearer than the first. It is clearer on one point, that it leaves so little advantage to the Roman Catholics that it is not worth mentioning. Is that a ground on which this government should stand as the defenders of the minority ? It is stated that some sacrifice has been made to the opinions of the majority. I do not know why. Is it because the English Protestant people have demanded it ? No, Sir. The division between the Protestant people of this country has been as to whether there should be any separate schools in the Northwest at all. The majority of Canadians do not split hairs, the people of this country have already pronounced upon the question as to whether we will give separate schools to the Northwest. If I asked to-day for the establishment of such separate schools in the Northwest as the Protestants enjoy in the province of Quebec, at first sight perhaps they would not be willing to grant them. But I say that when we reduce our demands to the mere right of separation, the Protestant people of this country, the people of London, the people of Oxford—I will go further and say the people of Toronto, would answer, yes, we are ready to give separate schools to the Catholics of the Northwest, we are ready to give them not only to the minority in any particular section but to the majority as well.

I know there are those who oppose separate schools on principle. There are men who are always ready to copy American institutions in preference to British institutions, lawyers as well as laymen. Let me tell them that I am a true British subject, imbued with the true spirit of British institutions, and I will cling to the old British system of freedom of education in preference to the nefarious system of education adopted by the Americans. But if these gentlemen cannot go as far as I do in adopting British institutions, at least I ask them not to be Yankees enough to deprive people of the right of educating their children in the elementary principles of their nationality and their religion. I repeat, the argument which is now made by friends of the government in the province of Quebec is not one upon which conciliation can be obtained. You cannot make the people in Quebec believe that the vast majority of the English-speaking Protestants are so fanatical that they will not allow the minority to have the same rights in the Northwest that the Boers have in South Africa and the natives have in India. That is not the way to create a feeling of conciliation and harmony between the races and creeds of this country.

Now, Sir, let us consider the argument made by the Minister of Finance that by adopting the new clause we are paying more respect to provincial rights. With all deference to the hon. minister, it seems to me that is one of the most extraordinary arguments I have heard. Is it paying more respect to the rights of the people of the Northwest who will live in 1930 to tell them: You are bound by the law of 1901—than to tell them, you are bound by the law of 1875 ? Do you say it is respectful of provincial rights to say to the people of the Northwest, here is one of your ordinances passed in such a year by such an assembly and you will never get free from it, so far as separate schools are concerned ? If you need take a northwest ordinance as the basis of your education clause, why don't you take the ordinance of 1885, which emanates from the same authority as that of 1901? The difference between the law of 1885 and that of 1901 is that the former was in conformity with our own law, and therefore by adopting the law of 1885 we would respect the principle of provincial rights as viewed by the Finance Minister, with the additional advantage that we would be respecting ourselves and our past. But in adopting the law of 1901 we are breaking our pledges, and at the same time we are not respecting provincial rights.

Sir, there is only one way to find our way out of all these difficulties. There is only one choice and that is to respect the doctrine which was laid down by my right hon. friend the Prime Minister on the 21st of February—respect provincial rights as far as provincial rights are respected by our constitution and no further.

Respect also federal autonomy which was enacted by section 93 of the British North America Act which provides for the imposition of a restriction upon provincial rights in matters of education. Let that be clearly understood and clearly laid down. It is said that if we adopt the amendment there will be so little to claim for Catholics that there will be very little occasion for litigation, but to say that because there will be lots of litigation we must go back on our own pledges, that we must go back on the principle laid down by the Prime Minister as the only basis of legislation, it is to take a position which I do not think will ever result in the creation of a broad spirit in those provinces.

Now, I may say that the opinion I have of this amendment is that it was framed in a moment of panic and scare and that the very wording of it is proof of that fact. Here is a sovereign parliament that has received, in the very words of the Minister of Justice, under the Imperial Act of 1871, full power to deal with this question. The Minister of Justice did not admit any restriction on the powers of this parliament. Here is a sovereign parliament which has the jurisdiction to pass legislation. We borrow on the one hand an imperial document, we take on the other hand a territorial document which is ultra vires, we join them together and say : We have nothing to do with this law. We renounce our sovereignty and because of our respect for provincial rights we adopt as the basic law of the new provinces the Northwest ordinance which we acknowledge to be against our own legislation. It is ultra vires, we make it intra vires ; it is against all the moral pledges which are binding on us, and in the execution of these pledges we enact this legislation which breaks these pledges. I confess that the position taken by the government is completely incomprehensible to me from a constitutional point of view and from a political point of view. I do not see what can be gained either for the future of this country or for the advantage of the Liberal party, or for the advantage of the country at large. Sir, to my mind, we had only one thing to do, we had only to stand, as the Prime Minister said the first time, upon the basis that had been made for us in the first place, on the constitution as it was laid down by those who opened up the Northwest Territories to civilization. The law of 1875 was the only safe basis of legislation. Now, it has been said that the law of 1875 did not provide for the granting of state aid to separate schools, but, as I stated this afternoon, this parliament accepted that principle when it passed the law of 1879 forming a school fund for the support of schools in the Northwest. Therefore, the clause, as it was first prepared by the Minister of Justice, contained all those essential principles ; it contained the reference to the British North America Act, it wiped out all the doubts possible as to the date of the union, and it re-enacted the law of 1875, which guaranteed separate schools. That was the only thing that we were bound to do. The government said when they framed that legislation : We stand upon the rock of the constitution. How is it to-day when they are putting that aside that they are still claiming to stand upon the rock of the constitution ? Is it the rock of the constitution that is moving, or is it the government ? I prefer to think that the interpretation which was given by the Prime Minister and the Minister of Justice before they were colleagues, a buccaneering politican,—if I may be allowed to use the language of the member for Pictou (Mr. Macdonald)—who tried to shelter himself behind a pretense of concern for a national principle in order that his private and public deeds might be forgotten, was the correct one. If the government had remained upon the solid ground which they took when this question was free from all these appeals and when it was upon a common sense basis they would have remained upon the rock of the constitution, and they would have stood by their legislation.

I have been denounced by government organs in the province of Quebec as a demagogue, as the Quebec Maclean. I have been threatened with excommunication from the Liberal party because I am still saying in June what the Prime Minister said in February. If I am the Maclean of Quebec now, the Prime Minister was the Maclean of Quebec in February. Sir, I have not gone one inch outside the position that he took, or said anything upon this question different from that which he has said. I am still on the rock of the constitution. I do not say so from the legal point of view. I am no lawyer, but I say that I remain upon the rock of the constitution as I find the constitution erected by the great men who laid the foundations of this country, by the men who laid down as the basis of the education of the youth of this country the sound principle of religious freedom of education. I remain still upon that ground and I say that whatever may be the will of other provinces before they came into confederation the will of this parliament as regards the Northwest Territories were clearly enacted in the law of 1875. Let us respect the will of parliament as then expressed. Let us preserve for these future provinces the safeguards that were adopted by the authors of their constitution and which were alluded to by the Prime Minister himself as the great safeguards of the youth of our country. As far as our English-speaking friends are concerned am I to be denounced as an anti-English and anti-Protestant demagogue because I ask them to make clear the policy under which we are giving to the Catholics of the Northwest Territories about one-tenth of what we are giving to the Prot-

estants of Quebec and what I would be ready to stand for if there were any disposition to deprive the Protestant minority of Quebec of their rights. When my hon. friend the Minister of Agriculture was making that fine appeal to Protestants and Catholics in this House which he made on the second reading of the Bill and when he was pointing out the generous treatment which was given to the Protestants of Quebec I heard a member of this House make the remark that perhaps if we did less for the Protestants of Quebec it would be better. I denounce that kind of argument, but I am afraid it is going to be the kind of argument which is going to be heard later on. The Liberal papers of the province of Quebec denounce me as an unfaithful supporter of the government, they say that I am a demagogue, they say that I am not a man fit for a country like this which is composed of Protestants and Catholics, and it is said that perhaps if we did a little less for the fanatical Protestants of Quebec it would be better. That is not my policy. There is only one kind of justice and that kind of justice must be the same for all. Even if all the provinces treated us as we have been treated in the Northwest Territories I would still say that I am ready to treat the Protestant minority of the province of Quebec with justice and generosity. If this country is to last and to achieve greatness it is not by trying to find within the four corners of an article of the constitution in what way we may deprive a minority of a privilege or a right. If this country is to last it will only be by adopting the principle of equal rights and equal justice for all, and therefore, standing upon that ground, I move, seconded by my hon. friend from Montmagny (Mr. Lavergne) that clause 16 be struck out, and the following be substituted therefor :

The provisions of section 93 of the British North America Act, 1867, shall apply to the said province as if, at the date upon which this Act comes into force, the territory comprised therein were already a province, the expression 'the union' in the said section being taken to mean the said date.

2. In the appropriation by the legislature of public moneys in aid of education, or in the distribution by the government of the province of any moneys arising from the school fund established by the Dominion Lands Act, there shall be no discrimination against the schools of any kind organized according to law.

Mr. R. L. BORDEN. Is that the same as the original section or is there some change?

Mr. BOURASSA. It is substantially the same as the original section without the middle paragraph.

Mr. SPROULE. I thought that perhaps the Prime Minister had some observations to make and desired to give him an opportunity of doing so, but as he has not I wish to address the House. The conclusion to which I came, after listening to the member for Labelle (Mr. Bourassa) and his trenchant criticism of his friends on that side, was that they were very much like the old man and the boy with the ass; they were trying to please everybody and succeeded in pleasing nobody and lost that important animal. That is about where they are to-night. The Prime Minister said the Conservative party had no policy on this question. We thought the Conservative party offered a resolution to this House embodying their policy. They imagined that is what they were doing and voted on it and have a record.

Mr. FITZPATRICK. Who voted on it?

Mr. SPROULE. The House, the Conservative party voted on it certainly as the members of the government voted for it. In the face of that it cannot be successfully asserted that they have no policy. That policy embodied the principle for which they stood. The Prime Minister followed that up by saying that in the matter of education there is no such thing as absolute provincial rights for any province. That is not the ground taken a few years ago by the Reform party, all over the country, especially in Ontario, we were confronted with the argument on every platform both in provincial and Dominion elections, that the Reform party stood for provincial rights absolutely.

Sir WILFRID LAURIER. Hear, hear.

Mr. SPROULE. And in enumerating these rights in connection with the Streams Bill, with minerals, with public lands, with timber, the right to control education was included; they were all put in the same category and all read out of the same list. These were the provincial rights for which the Reform party stood, which the Reform papers advocated and which carried that party into power in Ontario time after time. It was on the same principle of provincial rights that the Reform party stood in 1896, when they fought the Conservative party on the question of remedial legislation in Manitoba. It was not contended then that the provinces had not absolute and sole right in regard to education except in Ontario and Quebec, because it was claimed that the provisions in regard to those two provinces did not apply to the others and it was only in connection with the debate which took place within the last few months that the contention has been put forward that no province has the absolute right to control its own educational affairs. That argument was advanced by the Minister of Justice only a short time ago, and the explanation he gave, although it may be satisfactory to his own mind, will not, I think, satisfy the people of the country or of the various provinces that to-day enjoy absolute freedom with regard to education as is done by Prince Edward Island, Nova Scotia, New Brunswick.

Mr. FITZPATRICK. As they do not.

Mr. SPROULE. As they do.

Mr. FITZPATRICK. As they do not.

Mr. SPROULE. Has any authority dared to interfere with the right which these provinces have enjoyed since they entered confederation in 1867? Who has dared to interfere with their rights to deal with education? And have we not had discussions in this House with regard to the province of New Brunswick and was it not decided here that they had that absolute right and must enjoy it? That was declared by Sir John Macdonald and he refused to interfere with that right

Mr. FITZPATRICK. Never.

Mr. SPROULE. Certainly.

Mr. FITZPATRICK. The leader of the opposition, who has a reputation as a lawyer, would not repeat that?

Mr. R. L. BORDEN. What was it you said?

Mr. SPROULE. I said with regard to New Brunswick it was contended they had the absolute right to control their education and when the question was brought into this House of interfering with that right Sir John Macdonald declared against it, and said it was one of the rights which the provinces must enjoy. I stand by that, and I am upheld by the record. When it was said that the minority did not get what they were entitled to, what he said was the remedy was to agitate, agitate, and try to convince the majority that what they were doing was wrong and if they could not do that to vote them out at the polls. That was his answer, to attempt to vote them out, and they have enjoyed that right ever since. So has Prince Edward Island, and in face of that will it be said that no province has an absolute right to deal with education?

Mr. FITZPATRICK. The Privy Council has said so, that does not make any difference.

Mr. SPROULE. The Privy Council has said that when a certain contingency arose there was federal jurisdiction, but unless those conditions laid down by one subsection of section 93 were brought about there could be no interference, and, therefore, the province enjoyed absolute freedom.

Mr. FITZPATRICK. Absolute freedom subject to regulation.

Mr. SPROULE. Subject to conditions which they never invoked, which can only be brought about by themselves and which they are free to bring about or not, so it is absolute freedom. The Prime Minister said that we want to adhere exactly to the constitution, and by his amendment which is supported by the Minister of Justice he is proposing to substitute something else for a portion of the constitution, something else for the subsection of section 93 of the constitution, and he says we want to adhere to the constitution. Is that not a strange proposal? Is that not somewhat paradoxical? We want to adhere to the constitution and yet we propose to amend it, and the Minister of Justice supports him in that contention that he should amend the constitution. As long as the constitution secures the rights which he desires to give the minority he is prepared to stand on the rock of the constitution, but as soon as he imagines that the constitution does not secure those rights then he is prepared to amend the constitution, itself as he now proposes to do.

The Minister of Justice, who, I imagine, will also contend that they are endeavouring to stand on the constitution, supports them in the proposal to amend the constitution to secure to the minority the rights which he is afraid they may not otherwise get. What excuse did the Minister of Justice give for proposing this amendment? He said: 'I do not wish to be misunderstood. It is because we are not sure that these rights would be secured to the minority if we allowed the whole of section 93 to go into operation in connection with this Act, that we are proposing to amend a portion of that section 93, and substitute clause 16 for the old clause, which provides that we shall amend section 93 by reading into it the ordinances as they exist to-day in the Northwest Territories, and thereby amend the constitution.' What did the Prime Minister say when he introduced this Bill? He said: 'We are standing on the rock of the constitution.' But he contended that as the minority in the Northwest Territories enjoyed separate schools to-day, and as those schools had been in existence for so many years, this provision would bring them under the constitution and secure to them that right in perpetuity. Now, here was something that rather amused me, and that I thought was scarcely consistent with that statement. Following it, the row broke out between the present government and the late Minister of the Interior, and they succeeded in bringing him back by amending the clause in question. The Prime Minister said: 'We may have been unfortunate in our language, but what we desired to perpetuate is what exists in the Northwest to-day.' But what exists there to-day is not by any means what was given under the Act of 1875. If the rights given under the Act of 1875 were what the minority fell heir to, the Prime Minister admitted that he did not intend to perpetuate those rights, but that he intended to perpetuate what was grafted on that Act by the ordinances and the amendments made to it and the regulations. Is that consistent with the position he took, that he was standing on the rock of the constitution? In my judgment it was not. Then there was a controversy between the late Minister of the Interior and the Minister of Justice as to who drafted the original clause 16, and why it was drafted as it was.

The late Minister of the Interior said: 'I am bound to say that the draftsman was most unfortunate when he used the language embodied in this clause to provide for the right he professed that he desired to give.' But the Minister of Justice, in his explanation said: 'When this federal parliament was giving to Manitoba a constitution, it did not succeed in giving the minority the rights whch it said it intended to give, and I was bound to make no mistake in this case, but to use the language that would clearly confer the rights we intended to give, and we intended to give the minority the rights as to separate schools which were contained in the Act of 1875.' But the Prime Minister said: 'We intended to do nothing but to perpetuate what exists to-day.' The Minister of Finance contends that what exists to-day is not what existed in 1875—that what existed in 1875 were separate schools similar to those in Ontario and Quebec; but what the Northwest minority have to-day are not separate schools at all, but only public schools. The Minister of Customs took the same ground. So that it seems to me that these hon. gentlemen are not consistent with themselves, and their speeches do not hang together when analysed. Now, I come to the member for Labelle (Mr. Bourassa). He says that Mr. Blake, Mr. Mackenzie, the Honourable George Brown, and others, intended to, and did to all intents and purposes, settle what would be the educational system of that country for all time.

Mr. BOURASSA. If the hon. gentleman will allow me, I did not quote George Brown. I quoted Mr. Blake, Mr. Scott, Sir Alexander Campbell, and Mr. Mackenzie.

Mr. SPROULE. Did not the hon. member say that the Honourable George Brown in his speech declared that if that law were passed in that form it would remain for all time?

Mr. BOURASSA. No, the Prime Minister said that.

Mr. SPROULE. If the hon. member looks up 'Hansard' to-morrow, he will find that he said it.

Mr. BOURASSA. I may have said it, because it is true.

Mr. SPROULE. Well, what did that mean? It meant that they were making a constitution for what might afterwards become provinces. What does the British North America Act provide? It provides what shall be the constitution of provinces after they come into confederation or after they are established as provinces of the confederation. What was the confederation of Canada for? It gave a constitution which provided what rights the provinces should enjoy; the same rights were laid down for all; and it was intended that among the rights the provinces should enjoy was the right to deal exclusively with education, with the exception of the provinces of Ontario and Quebec. The Prime Minister, when quoting the British North America Act to-night, said that in the list of subjects assigned to the provinces, there was a division between what might be regarded as the subjects over which they had absolute control and the subjects over which they had not absolute control; but I find that in the original resolutions on which the Confederation Act was based there was no such division whatever. It was clause 43 and the rights run from 1 to 18. They are direct taxation; borrowing powers; the establishment and tenure of provincial offices; agriculture; immigration; and then there is the clause giving the right to make laws in relation to education having regard to the rights and privileges which the Protestant or Catholic minorities in both the Canadas may possess as to their denominational schools at the time when the union comes into operation. That is all. There is nothing there to indicate any intention to bring all the province under the same right. But I want to draw attention to another point. When it was proposed to take home these resolutions and get an imperial enactment, the government declared that they would bring back nothing but an Act strictly upon the lines of these resolutions. I have here a motion that was made by the Hon. Mr. Holton. What was it? It was that the imperial Act should not become law until it would be submitted to the parliament of Canada and obtained the consent of that parliament. What reason did he give in support of his motion? He said he made his motion because of our experience in 1854, when we got an imperial Act giving us a constitution which contained clauses it was never intended should be in it. In answer to that resolution, the Attorney General of that day, the late Sir George Etienne Cartier, guaranteed on behalf of the government that they would bring back nothing but an imperial Act strictly based upon these resolutions. He said:

> Mr. Speaker, in reply to what the hon. member for Hochelaga (Mr. Holton) has just said, I would merely tell the hon. members of this House that they need not become alarmed at the apprehensions and predictions of the hon. gentleman. I have already declared in my own behalf and on behalf of the government that the delegates who go to England will accept from the imperial parliament no Act but one based on the resolutions adopted by this House, and they will not bring back any other. I have pledged my word of honour on that point, and the word of honour of the government, and I trust that these will have at least as much weight with this House and the country as the apprehensions of the hon. member for Hochelaga (Mr. Holton).

I have just read the resolutions making no distinction with regard to the subjects which were to be assigned exclusively to

the provinces. In the list of those subjects without any distinction is the subject of education, except as regards the provinces of Ontario and Quebec, which were then called Canada East and Canada West. No doubt it will be said: What of that? we find the British North America Act was amended in England; we find that it did not strictly adhere to the lines of the resolution. It was amended by somebody. Who amended it? That is the question. I listened carefully to the First Minister speaking on that subject, and he went on to say that Sir Alex. Galt was anxious about the rights of the Protestants in the province of Quebec that he desired to have an amendment in order to secure their rights. But that was not the only amendment. The other amendment went further, and who was responsible for introducing he did not know. But we know one thing, we know that there is always an eye that never sleeps, a vigilance that knows no recess, that the one party and the one church always seems to be provided for in every law that passes, that somehow or other it gets its work in, and I am afraid that that is the explanation of this amendment. That is the reason why to-day we have that departure from the original resolutions. It was never contemplated, except as regards Ontario and Quebec, that there was to be any control or interference with the exclusive rights of the provinces regarding education; and in accordance with that understanding all these provinces have enjoyed that right ever since. From time to time that right has been sought to be interfered with. One time the attempt was made in the province of New Brunswick, another time in the province of Manitoba, but this federal parliament has put itself upon record as declining to interfere with that right. We have to-day the contention put forward, as it was expressed to me by an hon. membtr of this House in 1896. We understand confederation to mean this, that in every province the Roman Catholic minority shall have the same rights in every province in the Dominion with regard to education as they enjoy in Ontario, and we shall never cease to fight until that is accomplished, whether it be gained early or late. Our experience rather justifies our belief that the desire and intention and the aim of that church is never to cease that fight until it secures that right in every province of the confederation. It will have succeeded in bringing a large proportion of the Dominion under that right, if it succeeds in putting this clause through. In the Yukon it has had that right introduced without any sanction of law, so far as I can find. Then you have the proposed new Act, which is to create a government for the Peace River and Mackenzie river district. If I know anything of that proposed law, it is intended to extend that right to these unorganized Territories and force separate schools on them for all time in the future. We have done that with regard to the Yukon, a country as large as one of these provinces, and it has been done under some kind of a pretext, but under no legal authority, and that privilege exists there to-day, and the same fight is intended to be kept up. Can we come to any other conclusion when we take into account the pronouncements made with regard to this question by Archbishop Langevin in St. Boniface and another bishop in British Columbia only a few days ago. We are therefore justified in coming to that conclusion, and the people of Canada might as well understand what they are face to face with, what is the intention and the aim and what is going to be the fight for all time to come in the future.

Will it be pretended that by the Act of confederation it was intended to give a constitution to these Territories before they become provinces? Why, a Confederation Act which professed to give each province a constitution before it came into the confederacy would be only a farce. That certainly could not have been its intention, and we are now providing a constitution entirely different from what the confederation Act intended when it was introduced and when we confederated the provinces.

The hon. member for Labelle (Mr. Bourassa) said that there is an anti-Catholic wave passing over the province of Ontario to-day. He declared that all the intolerance seemed to be on the other side, and the young member for Montmagny (Mr. Lavergne) said, 'hear, hear.' He appears to be the only follower the hon. member for Labelle has got.

Mr. FITZPATRICK. He has several on your side.

Mr. A. LAVERGNE. We have quality if not quantity.

Mr. SPROULE. That is rather doubtful. I heard the cheers and could only find one cheering. If there are other supporters of the hon. member for Labelle, they must be ashamed of him, because they did not cheer him.

Mr. FITZPATRICK. There was one alongside of my hon. friend, but as soon as my hon. friend began he ran away.

Mr. SPROULE. I was speaking of the other side of the House. What evidence have we of an anti-Catholic wave in the province of Ontario?

Mr. BOURASSA. Is the hon. gentleman trying to make out that I said there was an anti-Catholic wave in the province of Ontario?

Mr. SPROULE. Yes, the hon. gentleman said there was an anti-Catholic wave passing over that province.

Mr. BOURASSA. No, but what I said was that there was one raised by hon. gentlemen opposite and that hon. gentlemen

on this side were afraid of it, but that I did not believe it really did exist.

Mr. SPROULE. I understood him to say it was passing over Ontario to-day.

Mr. BOURASSA. But not in the sense the hon. gentleman makes out I said it.

Mr. SPROULE. I have not attempted to show what the statement meant; I am dealing only with the allegation of fact. What evidence is there of anti-Catholic feeling in Ontario? I was in London and in Oxford, and I saw no evidence——

Mr. A. LAVERGNE. The electors were told to take their choice—to vote for King Edward or vote for the Pope.

Mr. SPROULE. Who said that?

Mr. A. LAVERGNE. That appeared in the London 'Free Press.'

Mr. SPROULE. I do not happen to have seen that in the 'Free Press.' I speak of what came under my own observation.

Mr. A. LAVERGNE. I would remind the hon. gentleman of the speech made by the hon. member for Victoria (Mr. Sam. Hughes). That hon. gentleman, speaking of the rights accorded to the Protestants by the French Canadians of Quebec, said that the French Canadians were a conquered people and that anything they had they owed to the Protestants, so that it was not a question of toleration on their part.

Mr. SPROULE. Was that anti-Catholic?

Mr. A. LAVERGNE. It was a prejudiced appeal. And in my speech I quoted extracts from the 'Orange Sentinel,' which the hon. gentleman (Mr. Sproule) has not disavowed.

Mr. SPROULE. And is this evidence of an anti-Catholic wave in Ontario?

Mr. A. LAVERGNE. It is evidence of an effort to raise an anti-Catholic wave, though that effort failed. But it was made by the Order of which my hon. friend (Mr. Sproule) is the Pope.

Mr. SPROULE. If it failed then it cannot exist. The hon. member for Labelle (Mr. Bourassa) says it does exist. Now we are told that it failed to materialize.

Mr. BOURASSA. That is what I said—and I gave that as a reason why we should pass the original clause.

Mr. SPROULE. There is evidently a difference between these two hon. gentlemen. The hon. member (Mr. Bourassa) went on to say that he was tolerant and broad-minded, and so were his confreres from the province of Quebec. He criticised adversely many of the articles appearing in the Toronto newspapers. I may be allowed to put alongside of these something which appeared in the organ of the government, that he may judge of the tolerance of the French Canadians.

Mr. A. LAVERGNE. What paper?

Mr. SPROULE. 'Le Canada.' Is it a French newspaper, and is it a supporter of the government?

Mr. A. LAVERGNE. Does the hon. gentleman (Mr. Sproule) quote it as the organ of the hon. member for Labelle (Mr. Bourassa)?

Mr. SPROULE. No; as the organ of the Prime Minister (Sir Wilfrid Laurier). I wish to quote it to show the spirit of toleration among these people of whom the hon. member boasted.

Mr. BOURASSA. I stated that the spirit of tolerance always existed in Quebec. But if the hon. gentleman (Mr. Sproule) followed me he must have noticed that I said that 'Le Canada' was trying to raise racial feeling in Quebec in an effort to cause the people to forget what the government was doing.

Mr. SPROULE. I may have misunderstood the hon. gentleman. But I wish to quote this in connection with what he said as to the intolerance of the article in the Toronto newspaper. There was a criticism made some time ago in the Halifax 'Chronicle,' which I said voiced the sentiments of the Minister of Finance (Mr. Fielding). That hon. gentleman denied it. I said it was a Reform newspaper and that it still supported the hon. gentleman's policy. Let me show what 'Le Canada' said on what was then said. Noting my objection to the Halifax 'Chronicle's' designation of Toronto Centre as a 'yellow dog' constituency. 'Le Canada' seems to think it is all right, but it does not go far enough. 'Yellow dog,' says this organ of the government, 'is a term too polite to designate the people under the command of Dr. Sproule.' That is intended for the Orangemen, several of whom in this House support the government.

Mr. LEMIEUX. Is the hon. gentleman quoting from 'Le Canada,' or is it a translation from another paper?

Mr. SPROULE. I am giving a quotation from 'Le Canada.'

Mr. LEMIEUX. My hon. friend (Mr. Sproule) has not 'Le Canada' under his hand.

Mr. SPROULE. No; this is a translation in another paper of what appeared in 'Le Canada.'

Mr. A. JOHNSTON. By whom?

Mr. BRODEUR. Will the hon. gentleman——

Mr. SPROULE. One at a time, please. Does the hon. gentleman deny that the article appeared in 'Le Canada'?

Mr. BRODEUR. Will the hon. gentleman (Mr. Sproule) please give us the date of the article?

I said a few moments ago, that other statements have already been read in this House as having appeared in 'Le Canada,' which never did appear in that paper.

Mr. SPROULE. It does not follow that because forty-nine articles may be wrongly attributed to that paper, the fiftieth article may not have appeared in it. In the absence of any information the hon. gentleman possesses, I say again that I am quoting what appeared in a responsible paper.

Some hon. MEMBERS. What paper ?

Mr. SPROULE. I cannot give the name just now, but I will get it.

Mr. R. L. BORDEN. I saw the article myself, I think it was in the St. John 'Sun.'

Mr. FITZPATRICK. About what date ? —so that we can trace it up.

Mr. SPROULE. Speaking from memory, I think it was the St. John 'Sun.' Now then, I have just read that as an offset to some of the unkind criticisms that have been indulged in with regard to the intolerance of Ontario, and especially of the newspapers of Toronto. I have also read it to remind the First Minister that hundreds of Orangemen voted for his candidates in the last election, as they did in 1896, to my personal knowledge, hundreds of them who are as consistent reformers as any other people in this country. I want him to understand when such a diatribe as that is published against the Orangemen of this country it strikes many of his own friends as well as those represented by the hon. member for East Grey.

Mr. MILLER. Are the Orangemen mentioned in that article from the beginning to the end of it?

Mr. SPROULE. They were in the other one, and the hon. member knows it well.

Mr. MILLER. Then why does the hon. gentleman apply this article to the Orangemen when they are not mentioned in it ?

Mr. SPROULE. Because it is another evidence of the epithets that have been hurled at the Orangemen for fifty years, all over this country they have been called yellow dogs, and the hon. member knows it. He should be the last to get up and interrupt me here, because he knows that in his own riding there are Orangemen who have supported him but who will resent this insult.

Mr. MILLER. I ask the hon. gentleman again——

Mr. SPROULE. I have found the name of the paper marked where I did not see it. It is the St. John 'Sun,' of June 10, 1905.

Mr. R. L. BORDEN. I have the article of 'Le Canada' here now, and I would ask any hon. gentlemen on the other side who are more familiar with the French language than I am, to read it. It is found in 'Le Canada' of Saturday, June 10, 1904.

Some hon. MEMBERS. En français.

Mr. R. L. BORDEN (reading).

Yellow dog is a term too polite to designate the people under the command of Dr. Sproule, and who stir up the dust of sectarian passions. A dog is generally clean. The friends and henchmen of Dr. Sproule and his leader, Mr. Borden, are individuals too dirty to be compared to dogs, even yellow dogs.

Sir WILFRID LAURIER. Pass it over here.

Mr. R. L. BORDEN. I thought it was so disgusting and discreditable that it could not have appeared in 'Le Canada.' It seems to excite very much the risibilities of the hon. member for Montmagny (Mr. A. Lavergne) and the hon. member for Labelle (Mr. Bourassa).

Mr. A. LAVERGNE. I was merely congratulating the leader of the opposition on his good French.

Mr. R. L. BORDEN. I only ventured to read it because I was asked to do so from the other side. I do not think the article in 'Le Canada' is materially different from the translation which my hon. friend from East Grey has just read. If any hon. gentleman opposite thinks it does differ, I will pass it over that he may read it for himself.

Mr. SPROULE. Notwithstanding the denials of the Minister of Inland Revenue, that the article never appeared in 'Le Canada,' he is mistaken, and it has been fairly translated. The hon. member for Labelle has frequently designated the hon. member for East Grey in almost similar words. The Minister of Inland Revenue did not know what he was talking about and of course it was impossible that he could enlighten the House. But it seems that this is even more reliable than the hon. gentleman desired and notwithstanding the fact that supporters of the government could not have imagined for a moment that it was possible that it would appear in a government organ, it did appear in a government organ and they are obliged to admit it and cannot help it at the present time.

Mr. R. L. BORDEN. Here is the translation of it.

Mr. SPROULE. The hon. member for Labelle said that if this is to be a nation there must be one law for all. I agree with that exactly and will never dissent from it. We always stand for that—one law for all, equality before the law for all, equal rights for every religion in this country, but it is because we think there is a desire to have one law for one class, and to have it different from that which applies to all

If that is true that the board is a Roman Catholic board. Any religious instruction desired by the board of trustees may be given.

Mr. A. LAVERGNE. Does my hon. friend pretend to say that is guaranteed by the present law ?

Mr. SPROULE. I do not know, but here is the ordinance that provides for it. I am only answering some of the remarks that were made by the hon. member for Labelle. If the Roman Catholics are in the majority there they have the same right to teach the religion of their church in that half hour as the Protestants have in the public schools.

Mr. BOURASSA. It is not guaranteed under the statute.

Mr. SPROULE. I do not know if it is guaranteed or not, but the contention of the hon. member for Labelle was that what was being guaranteed was what was done under this ordinance.

Mr. BOURASSA. I never contended that. On the contrary I contended that everything which was guaranteed under this amendment was what the minority enjoyed in respect to separate schools only.

Mr. SPROULE. And it did not guarantee this at all ?

Mr. BOURASSA. No.

Mr. SPROULE. Am I correct in understanding that the hon. member for Labelle contends that it does not guarantee this right ?

Mr. BOURASSA. Certainly not ; only in the separate schools, not in the majority schools.

Mr. SPROULE. I am not going to quarrel with him over that. If it does not I will be the better pleased, that is all. I say it is because of that——

Mr. FITZPATRICK. It is hardly worth my hon. friend's while to talk for two hours and reach such a conclusion. My hon. friend does not understand what he is talking about.

Mr. SPROULE. I am afraid that all the brains in the House are not in the cranium of my hon. friend, although he tries to leave that impression. He says there should be equality for all. I take as an example a family. Suppose I am in the domestic circle and there is a family of 12.

Mr. ALEX. JOHNSTON. All boys?

Mr. SPROULE. All boys or girls, and three or four of the family should say: I will not eat at the same table with the others. I want a different diet; a table to myself and rights to myself. What would the father say ? He would say that was not equal rights to all. He would regard it as doing something for these few members of that family and he would say: We must have equal rights for all of them. Is it not the same here? If any portion of the community says that they will not be satisfied with the public school but insist on separate schools, that they are too good to sit with Protestants in public schools, and insist on being among themselves only, that is not equal rights, that is special privileges to some, which are not asked for by all and are not provided for all by the law. I say equality before the law, equal rights to all and special favours to none. That is the correct principle. The hon. member (Mr. Bourassa) quoted it, but the whole tenor of his argument was in contradiction to it from first to last. This Act, if passed, is sure to breed discontent, because it is interfering with the rights of the people of a province, whether the majority or minority, as provided under the constitution. If it is passed will it settle the thing for all time to come? We hear a great deal about settling this once for all. Will this settle it once for all? You may satisfy the minority, but what have you done with the majority ? If in satisfying the minority you create a grievance on the part of the majority as great or greater than the satisfaction which you give to the minority, will there be other than discontent in the new provinces ? I say it is the most unlikely thing in the world; it will not settle the question to take away the rights of the majority so as to give special rights to the minority. The principle still holds good that the majority must rule, as enunciated by the First Minister in 1896. He then said that is a truism that cannot be denied, the majority must have their way. He was applying it to Manitoba, and I ask him to apply the same language and logic to the new provinces and he will find himself sadly in conflict with the Bill now before the House. Who are the people after all that we should seek to satisfy by the constitution we are giving? Is it not the majority of the people in these two new provinces ? Is it the people in Quebec ? Is it not more important that we satisfy the people out there ? Does the Minister of Finance remember that at one time in the history of his province, because his province was compelled to come into confederation without the people having a say in it, or being able to negotiate for their entrance, he saw fit to run his election on secession. Take the same conditions in these new provinces, and the same results are likely to follow. If you ignore the rights of the people there, if they are not consulted or allowed to take part in these negotiations and their rights have been disregarded, I say it is not reasonable to suppose they will be content in the future and that there will be no grievances out there. You are compelling the majority to submit to the minority and to give what the majority may not want to give—I do not know whether they do or do not. Do

that there shall be one federal parliament to deal with laws relating to the whole country along certain lines, and that each province shall have its own separate parliament; and the French said, if you give each province its own separate parliament, and lay down the subjects that it may deal with without interference, we will join the confederation. They did join the confederation on these conditions, and agreed to the terms contained in the resolutions part of which I have read. I say that the French people of the province of Quebec stand to lose more than any other people in this country from any interference with the confederation compact, and they should be the most zealous people in this whole Dominion to live up to that compact. If they do not, it will be as one of them said, a rope of sand—this is their own argument—and it may be a rope of sand, too early for them if they insist on breaking down the constitution which they helped to make, and on violating the sacred principle under which they declared they would come into the confederation, and no other. If we commence by interfering with the rights of these two provinces to-day, who will say that they will not invoke the English-speaking element all over the country to interfere with the rights of the province of Quebec to-morrow? Who will say that the people of these two provinces will not petition parliament to interfere with the province of Quebec? Have they not as good a right to do that as the 41,000 people from Quebec to petition it to interfere with the rights of these two new provinces? And who can say that it will not be done? I say this because the French people of the province of Quebec should be the most zealous to support this principle of confederation under which we live to-day; and yet they are trying to break it down. If they succeed in breaking it down, all I can say is that they will destroy that confidence in the confederation compact under which we have lived from 1867 down to the present time. Now, Mr. Chairman, I do not desire to detain the House longer. There are many other things I would like to say. I intended to deal with some remarks made by members from the Northwest Territories and to give them some information which I have with respect to that country; but I do not think it would do any good. I will leave them to be dealt with by their own constituents in the future. But I have given my reasons for holding the views I do. I wish to be understood; it is not because I have any antipathy, ill-feeling, or disrespect towards any Roman Catholic in this country that I speak as I do. I have not any feeling of that kind towards them, and never have had. Such is not my nature. I hold no spite against any person; I have too much of the Irish character for that. I can fight with you this minute and shake hands with you the next. I am stating my views and giving the reasons why I hold them to be sound. It is not because I am at the head of the Orange body. The Orangemen stand for perfect equality before the law, and they are in favour of giving the Roman Catholic minority what the constitution provides they shall have. If the constitution gives them separate schools, we will not quarrel with it. We are not constitution breakers, but constitution supporters; but we want equal rights for all before the law. There is no class of people who are more tolerant, more reasonable and more desirous of conceding to the Roman Catholic people their rights than the Orangemen of this country, who are so much vilified and criticised by those who do not know them. I can readily excuse some hon. members of this House for indulging in criticism of them, because they unfortunately do not know them as well as I do, or they would not be so uncharitable.

Mr. TAYLOR. Mr. Chairman, the hon. member for East Grey (Mr. Sproule), in his address, quoted a few words from the St. John 'Sun' purporting to be a correct translation of an article which appeard in 'Le Canada,' the chief organ of the Prime Minister, on the 10th of June last.

Sir WILFRID LAURIER. Why does the hon. gentleman say it is the chief organ of the premier?

Mr. TAYLOR. That article was translated and published in the St. John 'Sun' of the 13th June. When the hon. member for East Grey (Mr. Sproule) quoted the editorial article which appeared in 'Le Canada,' the hon. Minister of Inland Revenue and several others said that such an article had never appeared. The hon. the leader of the opposition got the paper and read it in the French language, in which it was published, and sent it across to the Minister of Inland Revenue. That hon. minister, the Solicitor General, the Minister of Justice and several others, scanned it, and I presume the translation which appeared in the St. John 'Sun' was correct in every word, because there has been no contradiction. But the hon. member for South Grey (Mr. Miller), who, I presume, is one of these Orangemen to whom my hon. friend from East Grey (Mr. Sproule) referred as having supported this Bill all through, challenged him to show that there was one word in that article reflecting on the Orangemen of this country. My hon. friend from East Grey (Mr. Sproule) did not reply. But I, as an Orangeman, feel it my duty to say it is one of the greatest insults cast on the Orangemen of this country. Let me read it to my hon. friend who, I presume, is an Orangeman.

Mr. MILLER. No.

Mr. TAYLOR. He challenged the hon. member for East Grey to show that there was one word in it reflecting on the Orangemen, and therefore I presumed he either

was one or there were many in his constituency who supported him.

Mr. ARMAND LAVERGNE. Allow me to say——

Mr. TAYLOR. If my hon. friend wants to reply he will have an opportunity to do so, but I will take no interruption from him here or elsewhere. He has a habit of interrupting without even rising from his seat, and when hon. gentlemen on this side treat hon. gentlemen opposite, when speaking, with the greatest courtesy and respect, we have the right to demand similar treatment from them. Let me now read the article I referred to; and when I have read it let the hon. member for South Grey (Mr. Miller) tell the Orangemen in his constituency that there is not a word in the chief Liberal organ in this country reflecting on them. In its issue of the 10th June, 'Le Canada' says editorially:

> Yellow dog is a term too polite to designate the people under the command of Dr. Sproule——

Who are the people under the command of Dr. Sproule but the Orangemen of this country.

Mr. D. D. MACKENZIE. Not at all.

Mr. TAYLOR. Le 'Canada' says:

> Yellow dog is a term too polite to designate the people under the command of Dr. Sproule, who stirs up the dust of sectarian passion. The dog is generally clean. The friends and performers of the base work of Dr. Sproule and his chief Mr. R. L. Borden, are too dirty individuals to be compared with dogs, even yellow dogs.

Now I ask the hon. member for South Grey (Mr. Miller) to go home and call the Orangemen together who supported him, and read to them that article and say there is not a word in it reflecting on them. It is a disgrace to any paper supporting this government, or even supporting the hon. member for Labelle, to publish such trash as that. What the hon. member for East Grey (Mr. Sproule) said regarding the Orangemen of this country is perfectly correct. They have no antipathy to the French race or the Roman Catholic creed. It is their duty to uphold, and they do and will uphold, the constitution of this country. We are willing to apply the constitution of this country to the new provinces whether it gives separate schools or not. If the constitution gives them separate schools, they are entitled to them, but we are opposed to the mutilation of the constitution and will fight for that constitution to the last ditch. We do not believe that the constitution of this country should be mutilated or departed from one jot or tittle. I simply rose for the purpose of bringing this matter to the attention of the hon. member for South Grey and to ask him when he goes home to read in 'Hansard' what he said in reply to the hon. member for East Grey, Grand Master of the Orangemen, and this article which the hon. member for East Grey quoted, and then say there is not a word in it reflecting on that order. I challenge any hon. gentleman who has 'Le Canada' of the 10th June in his hand, published in French, to say that the translation given by the St. John 'Sun' is not correct in every particular.

Mr. A. LAVERGNE. Let me give the hon. gentleman a definition which is not to be found in any French publication but in the Imperial Dictionary, which is the standard dictionary of the English language. That is why I read it, for I would not publish it even in 'Le Canada'; but I just read it to show that my hon. friend's indignation against that French paper would be more properly vented against the dictionary of his own language. I find that the Imperial Dictionary thus defines the word Orangeman:

> (In honour of William Third of England, Prince of Orange). A member of a secret society instituted in Ireland in 1795 to uphold the Protestant religion and ascendency, and to oppose the Catholic religion and influence. It has lodges in many parts of the British empire and her colonies, but the membership is now pretty much confined to the lower classes of Protestant Irishmen.

Mr. MILLER. In reply to the hon. member for Leeds (Mr. Taylor) who has told you that I am an Orangeman, I may say that I am not, but I may add that I am equally charged, on just as good ground, with being a Roman Catholic. The other day I received a letter written from my own constituency by one of my own constituents, in which he said he did not know what my creed was, but that after reading my speech he supposed I was a Roman Catholic. Let me say that I am neither a Roman Catholic nor an Orangeman. I have no use myself for people who use extreme or abusive language regarding Roman Catholics or Orangemen or any other class, and that is the reason I am at issue with the hon. member for East Grey (Mr. Sproule). I do not like to hear extreme or abusive language applied to any section of our Canadian people. I have nothing whatever against the Orangemen, but I do say again, after listening to the hon. member for East Grey to-night, that I do not see in the article he read any reference whatever to the Orange society. The article refers to the people commanded by Dr. Sproule. When you speak of the Orangemen of this country, however, you are speaking of a very large body of men, most of whom are very respectable and loyal citizens of this country. But when you refer to those commanded by Dr. Sproule, you are referring to a very small number.

Mr. SPROULE. Who does the hon. gentleman think the article referred to?

Mr. MILLAR. To a very small coterie of extreme persons such as the hon. member

for East Grey. I think that the Orangemen of this country should resent being termed the persons who are commanded by Dr. Sproule.

Mr. SPROULE. I can only tell the hon. gentleman what perhaps he does not know, that I think I do represent the Orangemen of this country and have their unanimous support.

Mr. D. D. MACKENZIE. Not at all.

Mr. SPROULE. I represent 99 per cent of them notwithstanding what may be said to the contrary by the hon. member for South Grey.

Mr. MILLER. It is one thing to represent the Orangemen and entirely a different thing to command them.

Mr. SPROULE. I am not talking of commanding them.

Mr. LENNOX. I listened to the extract from the Imperial Dictionary read by the hon. member for Montmagny (Mr. A. Lavergne). I will read it again in order that the position taken by some hon. members in this House may be understood. An Orangeman, it is said is :

A member of a secret society instituted in Ireland in 1775 to uphold the Protestant religion and ascendency, and to oppose the Catholic religion and influence. It has lodges in many parts of the British empire and her colonies, but the membership is now pretty well confined to the lower classes of Protestant Irishmen.

The hon. member (Mr. A. Lavergne) must have some reason for making this quotation—I suppose we are not to presume that he acts without reason. And the only intelligible reason that can be given is that he was prepared to adopt the language of this dictionary——

Mr. A. LAVERGNE. I deny that—my object was to——

Some hon. MEMBERS. Sit down.

Mr. A. LAVERGNE. I will not sit down.

Some hon. MEMBERS. Order.

Mr. A. LAVERGNE. I rise to a point of order.

Mr. SPROULE. What is the point of order?

Mr. A. LAVERGNE. The hon. gentleman (Mr. Lennox) is attributing to me words that I never used as my own. Before I read the article I took the precaution to say that it did not represent my sentiments. That is the point of order.

Mr. DEPUTY SPEAKER. That is not a point of order.

Mr. LENNOX. I have a right to assume that the hon. gentleman (Mr. A. Lavergne) has the ordinary intelligence of a member of parliament. He could have no reason for reading that article unless he desired to cast a slur upon Orangemen. And it is not out of line with the past conduct of the hon. gentleman to say that he wished to cast a slur upon Orangemen by suggesting that they are a lot of low-class Irishmen.

Mr. A. LAVERGNE. I did not say that. The hon. gentleman (Mr. Lennox) is misquoting me and is out of order.

Mr. LENNOX. I did not say the hon. gentleman said it. I say that that is the only intelligible reason for his making this quotation. And let me say to the hon. gentleman and to others like him on that side of the House—there are some, though not a great many, who on all occasions interrupt members of this side who are speaking—that it is evident they are not above casting a slur upon the Orangemen of this country. It is evident that in the article read by the hon. member for East Grey (Mr. Sproule) that he is there referred to in his capacity of leader of the Orange body. I am not going to discuss the propriety of a newspaper using such language. But I am prepared to say that the hon. member for South Grey (Mr. Miller), for whom I have great personal respect, does not advance his cause by saying that the hon. member for East Grey (Mr. Sproule) is not representative of the Orangemen of this country. I do not wish to drag Orangeism into this debate, but I do say that Orangemen are not confined to one nationality or one class, nor are they so 'low' but that they are ready to support the institutions of this country, to advance the liberty of the people, to maintain British connection and uphold the British flag wherever it may wave—to uphold the constitution, and, in the case of the Northwest Territories, to uphold that constitution whether it does or does not give separate schools. It does not become any hon. member of this House to cast a slur upon Orangeism. The history of that institution everywhere has been a history of toleration and of the maintenance of equal rights for all. Orangemen desire liberty for themselves, but they desire it equally for all other people. More than any other society in this country, the Orange society has stood for the maintenance of the liberties of all classes. I wish to say of the hon. member for East Grey (Mr. Sproule), who has been persistently interrupted in the House and taunted that he represents only a small body of Orangemen, that he has the confidence of the Orange body of this country and has that confidence to an extent that no other Orangeman in Canada has. It is no credit to any member of this House to try to belittle the hon. member for East Grey in his position as representative of the Orange body.

Some hon. MEMBERS. Oh, oh.

Mr. DEPUTY SPEAKER. I call the attention of some hon. members to the fact that the hon. member for South Simcoe (Mr. Lennox) has the floor and that he has a right to be heard.

Mr. LENNOX. I may say that I was not anxious to speak at this time. I have only spoken once upon the Bill, and I would not nave spoken now had the hon. member for East Grey been given fair-play. I feel that not only has an injustice been done to him, but a very great injustice has been done to the Orange body. I have a large number of the members of that order in my riding. They are amongst the best citizens of South Simcoe—they are not better than the others, but I do say emphatically that there are none better. I do not think I should be doing right if I did not call attention to the matter which has cropped up in this way. I have refrained from speaking on many occasions in this debate, because, in common with the Orange body of this country, I desire that peace and harmony shall prevail amongst all classes of the people, that we may unitedly work out the destiny of the country without distinction of creed, and without emphasizing those prejudices which make for division. If we are to work in peace and harmony, it will not be because hon. gentlemen in the flush of youth, like the hon. member for Montmagny (Mr. A. Lavergne) interrupt hon. gentlemen on this side and seek to divert their attention from the serious issues before us. That hon. gentleman (Mr. A. Lavergne) has been very conspicuous in interrupting me until you, Mr. Chairman, were obliged to call him to order. I trust he will live to realize that it is no proof of wisdom to be constantly speaking when others have the floor.

Mr. LEMIEUX. I do not wish to justify the article published in 'Le Canada'; but, if the House will trust my translation, I will read it first in French and then translate it into English. Hon. members will see that only an extract has been read to the House. They will see that that article is an answer to a series of attacks contained in certain circulars which were distributed in the late campaign of North Oxford and London.

Mr. INGRAM. By whom?

Mr. LEMIEUX. The hon. member for East Elgin (Mr. Ingram) will please wait. I have already said that I do not justify this article, nor can any hon. member of this House justify the attacks. The article is published in 'Le Canada' of June 10th last.

The 'Mail,' the 'World' and the 'News' are boasting that the by-elections in London and North Oxford are being fought on a question of principle, on the question of provincial rights.

Well, here is the language which these good farmers make use of in calling upon the electors to vote against the government:

Vote against the attempt to impose on the Northwest a system of education which is a relic of centuries of ignorance, which attempts to perpetuate repulsive superstitions, cruel persecutions and degrading dogmas which are dethroning conscience, violating reason and obscuring intelligence.

It is by such ignoble arguments, by such odious calumnies, that the Canadian electors are expected to vote for the candidate of Mr. Borden, for the protégé of Dr. Sproule, for the chosen of Mr. Foster and the friend of Mr. Maclean. It is in the name of a candidate for whom such appeals are made that the name of our respected King is used in another electoral circular.

A vote for Billy Grey is a vote for King Edward.

On the same lines and with the same logic the name of the Pope is opposed to that of King Edward, and they apply to him the odious epithets by which are qualified the system of education which teaches Catholic dogma. Dr. Sproule got mad one day because a Protestant Liberal paper had styled the electoral division of Toronto as a division of yellow dogs. If the great Orange leader is so sensitive, why does he insult a system of education and a religion which is approved and professed by forty-one per cent of the population of this country?

Yellow dog is a term too polite to designate the people under the command of Dr. Sproule, who stirs up the dust of sectarian passion. The dog is generally clean. The friends and performers of the base work of Dr. Sproule and his chief Mr. R. L. Borden, are too dirty individuals to be compared with dogs, even yellow dogs.

And to think that these men had the audacity to spread their infamous statement under the cover of the blasphemous title—to use the words of the 'Globe'—'For God and country.'

Now, Mr. Chairman, I say it again, I do not approve, I do not justify the answer which was made to the attacks which are quoted in this article. Now I will translate it to the best of my ability.

The war cry—some of the arguments used by the Tories in London and Woodstock.

The 'Mail,' the 'World' and the 'News' are boasting that the by-elections in London and North Oxford are made on the question of provincial rights. Here are some of the expressions used and some of the appeals made to the electors to obtain their votes against the government.

Here is now the attack contained in the circular. I have seen the circular myself in room 16 the other day and read it.

Mr. SAM HUGHES. Who wrote it?

Mr. LEMIEUX. It was not circulated in London or in North Oxford anyway, by my friend the Minister of Public Works or by the new member for Oxford. Here is the attack contained in the circular:

Vote against the attempt to impose on the Northwest a system of education which is a relic of centuries of ignorance, which attempts to perpetuate repulsive superstitions, cruel persecutions and degrading dogmas which are dethroning conscience, violating reason and obscuring intelligence.

The article concludes:

It is by such ignoble arguments, by such odious calumnies, that the Canadian electors are expected to vote for the candidate of Mr. Borden, for the protégé of Dr. Sproule, for the chosen of Mr. Foster and the friend of Mr. Maclean. It is in the name of a candidate for whom such appeals are made that the name of our respected King is used in another electoral circular.

And here is the quotation:

A vote for Billy Grey is a vote for King Edward.

On the same lines and with the same logic the name of the Pope is opposed to that of King Edward, and they apply to him the odious epithets by which are qualified the system of education which teaches Catholic dogma. Dr. Sproule got mad one day because a Protestant Liberal paper had styled the electoral division of Toronto as a division of yellow dogs. If the great Orange leader is so sensitive, why does he insult a system of education and a religion which is approved and professed by forty-one per cent of the population of this country ?

Mr. SPROULE. I never insulted any man's religion.

Mr. LEMIEUX. I am merely translating. Now comes the extract which was read by the hon. member for East Grey:

Yellow dog is a term too polite to designate the people under the command of Dr. Sproule, and who stir up the dust of sectarian passions. A dog is generally clean. The friends and henchmen of Dr. Sproule and his leader, Mr. Borden, are individuals too dirty to be compared to dogs, even yellow dogs.

That is to say, those who are making the attacks which I have just read. Mind you, Mr. Chairman. I do not justify the answer, any more than the attack which led to it.

Mr. COCHRANE. Don't try to explain.

Mr. LEMIEUX. I am not explaining, I am translating, and if the hon. gentleman thinks I am not translating correctly he may call me to order. But I was not referring to the hon. member for East Grey nor to my esteemed friend the leader of the opposition, but to the henchmen who are circulating the attacks which I have just read.

And to think that these men had the audacity to spread their infamous statement under the cover of the blasphemous title 'For God and country.'

Now, this is the article. I repeat again that I do not, I cannot justify the answer, nor can any one in this House justify the attacks which called forth the answer. The answer is on a par with the attacks that were made during the electoral campaign in London and North Oxford.

Mr. SPROULE. Before the hon. gentleman goes further—is the extract which I read from the St. John 'Sun' a fair translation of that article ?

Mr. LEMIEUX. Certainly.

Mr. FITZPATRICK. Not all the article.

Mr. LEMIEUX. No, it is only an extract. The hon. member for East Grey does not pretend that he read the whole article. I have just read it, but the extract which was read by the hon. member for East Grey was a fair translation.

Mr. R. L. BORDEN. Of the portion of the article which he purported to translate ?

Mr. LEMIEUX. Certainly, I do not deny that. The one who wrote that article in which the term 'yellow dog' is used does not use it as against the hon. member for East Grey or the hon. leader of the opposition. It is used against the henchmen of these hon. gentlemen who were supposed to be circulating attacks during the elections which took place lately.

Mr. SPROULE. That is a very charitable explanation.

Mr. INGRAM. What about the friends it refers to there ?

Mr. LEMIEUX. I am not here to justify or to answer what my hon. friend attacked. I am simply stating a question of fact. My hon. friend read an extract. I am reading the whole article and translating it to the best of my ability. Now, Sir, in what position are the Liberal members from the province of Quebec ? Here is my hon. friend from East Grey who quotes an extract from 'Le Canada.' He pretends that 'Le Canada' has compared himself and his friends to yellow dogs. We are, of course, accused by the hon. gentleman of fanning the prejudices and passions of the people against himself and his party in the province of Quebec. On the other hand here is my hon. friend from Labelle (Mr. Bourassa) who repeats the same accusation. I do not intend to answer the long and able speech which he made this afternoon and evening on the school question, but having been connected with the press in the province of Quebec for the last fifteen years and having had something to do with the Liberal press as a member of the Reform party, I deny in toto the accusation made by my hon. friend from Labelle. We are not fanning the passions and prejudices of the electors in the province of Quebec. I say that ever since this school issue has been before the people of the country, the Liberals of Quebec have stood firm to their guns and have behaved like patriots and good Canadians. We have a good illustration of our stand at the present time. We have on the one hand my hon. friend from Labelle who is supposed to represent the extreme views of Quebec, and I use this word in no offensive sense, while on the other hand we have my old friend from East Grey who is supposed to represent the extreme views of Ontario, or of a certain body called the Orange body, and here they are pulling together against the government on this very issue.

Mr. R. L. BORDEN. May I ask the hon. gentleman a question ?

Some hon. MEMBERS. Order, order.

Mr. R. L. BORDEN. I was asking his permission.

Mr. LEMIEUX. Certainly.

Mr. R. L. BORDEN. I do not have to ask the permission of any other hon. gentleman. I would like to know whether or not that was not the position in 1893 and 1894 when the late Mr. Dalton McCarthy and Mr. Tarte were doing exactly the same thing in regard to the Conservative administration ? That was all right.

Mr. LEMIEUX. Mr. Dalton McCarthy is dead. Peace to his ashes. Mr. McCarthy was a great lawyer, he was a great Canadian and I dare say that if Mr. McCarthy were living to-day he might not be with my hon. friend (Mr. R. L. Borden) even on this question. Mr. McCarthy, after 1896, joined the ranks of the Liberal party and sat with us on this side of the House. I have heard Mr. McCarthy himself say that he had learned a good deal since he had been associated with the French Canadians. I say that if Mr. McCarthy were living to-day he would certainly not have taken the stand which has been taken by some hon. gentlemen opposite. But, I was speaking of the position occupied by the Liberal members of this House coming from the province of Quebec. Which are the papers in the province of Quebec which, since the beginning of this campaign, have been trying to arouse the passions and prejudices of the people although with no success ? My hon. friend from Beauharnois (Mr. Bergeron) knows 'L'Evenement,' the chief Conservative organ of Quebec. When my hon. friend the Postmaster General (Sir William Mulock) spoke on the second reading of the Bill he quoted some of the articles which had been published by 'L'Evenement.' I appeal to my hon. friends who belong to the Protestant faith in the province of Quebec to say if it is not a fact that my right hon. friend the leader of the government is represented by the papers friendly to my hon. friend the leader of the opposition as a traitor to his race, to his faith and to his ancestors. For what reason ?—because forsooth, my right hon. friend has taken the right stand in the present conflict. He has not been with the extremists. In medio stat virtus. He has stood firmly on the rock of constitution and he has acted in that spirit of conciliation, toleration and liberality which has always animated Liberals in every part of the world. Sir, my hon. friend from Labelle compared the French Liberals with the tribes of India. He said that we were accepting crumbs which the Bengalese and the men from the Punjaub would not accept. On the contrary, Sir, we recognize the happy position which the French Canadians occupy in this country at the present hour. Since 1840 the French Canadians, not only in the province of Quebec, but in the whole Dominion have attained, it seems to me, a very exalted position. Sir, I would call upon my hon. friend to look in front of him and see who occupies the first position in this country. Who was selected to occupy that position, under what circumstances and by whom ? By the English-speaking Liberals. And under what circumstances and by whom ? One of our own, and by the English-speaking Liberals. And under what ciriumstances ? Was it when the province of Quebec was united in favour of the Liberal party ? Was it not when we were in a hopeless minority against the friends of hon. gentlemen opposite ? Sir, what is our status in the confederation ? I will not speak of yesterday; I will speak of to-day's. My hon. friend from East Grey referred to the Yukon Territory. Who is the Chief Justice in the Yukon Territory? Is it Mr. Justice Dugas, a French Canadian? Who is the Lieutenant Governor of the province of British Columbia, if not Sir Henri Joly de Lotbinière? Who is the Lieutenant Governor of the Northwest Territories, if not my friend Mr. Forget ? Who is the Chief Justice appointed at the request of the member for Brandon (Mr. Sifton) in the province of Manitoba, if not Chief Justice Dubuc, a French Canadian? Who is the Chief Justice of Canada? Is it not a French Canadian ? And, Sir, coming to the province of Ontario, who occupies at the present time the proud position of Minister of Public Works in the Ontario government ? I am happy to say that the great Conservative party paid a compliment to the large French minority in the province by appointing Hon. Dr. Rheaume from the county of Essex. In Ottawa I think my co-religionists and my fellow-countrymen occupy a proud position, and I deny in toto the statement made by my hon friend that the French Canadian Liberals have no pride and no courage. The man who has courage is not the one who, through his ability and eloquence, will fan the passions and irritate the prejudices of the people, and say to his fellow-countrymen : 'You are not treated as white men, you are treated as slaves, you are entitled to a loaf of bread and get only half a loaf. You should resist and revolt.' No, Sir, the man of courage and the true patriot is the man who tells his fellow-countrymen : We are in the minority, we live in a country where there are two predominating races and two predominating religions, and we must meet like friends and like men. If there is on the other side of the ocean an entente cordiale there must also be on this side an entente cordiale. We cannot expect to have and obtain everything, we must make concessions. My hon. friend—no one more than he—knows what is the

history of our countrymen in this Dominion of ours. Let him read the history of the union from 1840 to 1867. His great and noble ancestor, Mr. Louis Joseph Papineau, after his return from exile, accused Lafontaine of being too timid, of being a tool in the hands of the English majority because he had formed an alliance with Baldwin. What did Lafontaine answer? He said: 'The days are gone by when the fight is to be made with bayonets or guns. We are working now under the constitution which has been freely granted to the inhabitants of this country. True it is, I have not obtained for the French Canadians everything they have claimed, but notice since I have formed this alliance with my English friend Baldwin, what has happeened: The French language, which has been expunged from the records of the House, has been restored; the French language is now the official language. Political exiles had been sent to Australia and the Bermudas, but through concessions, because I have learned the policy of conciliation, I have been able to obtain the return of the exiles to their country.' And what other reforms did not Lafontaine mention? My hon. friend is not playing the right game in saying to the public, to his fellow-countrymen, that in this confederation, in this wide Dominion, with two great races facing each other, the French Canadians are ill-treated and are trodden upon. No, for my part, I have a better opinion of the majority. It is true we have not obtained in the present instance all that our bishops wanted to obtain, but in conclusion I would say: Let us follow the advice which has been given us by a great writer, Sydney Smith, in his essay on Catholics, when he said:

> Wait. Do not add to your miseries by a mad and desperate rebellion. Persevere in civil exertions, and concede all you can concede. All great alterations in human affairs are produced by compromise.

Sir, when this confederation was brought about, when this great Dominion was formed, George Brown, Sir John Macdonald, Alexander Mackenzie and Sir George Etienne Cartier, all stated that the new confederation was the result of a compromise. Sir, mutual concessions were made, and I say that it is on honourable compromises, on honourable concessions from both sides and both nationalities that the great work of this country can be carried on.

Mr. A. LAVERGNE. As I seconded the motion proposed by the hon. member for Labelle (Mr. Bourassa), I may be allowed a few words. Of course, it will be understood that my position is rather difficult coming after a speaker who has made such a passionate and political appeal as the Solicitor General (Mr. Lemieux). But, Sir, I cannot let pass the sentiment uttered by the Solicitor General, that the hon. member for Labelle and myself were pulling with the member for East Grey. Sir, I am very sorry to have to say it, but if anybody is pulling with the member for East Grey it is the government. My hon. friend for Labelle and myself have not changed on this question, and we stand to-day as we stood before the whole of this House on the 21st of February last. If anybody has changed, and if the law which is presented to us has changed, it is not because the member for Labelle or myself have changed, but because the policy of the government has changed. To-day the member for Labelle and myself are accused by the Solicitor General of calling for revolt in Quebec. Are we calling for revolt in Quebec because we ask fair-play at the hands of our fellow-countrymen? Is it an appeal to revolt because we believe that if we make an honest appeal to our English-speaking friends full justice would be granted to the minority in the Northwest Territories? I ask any man in this House, I ask the Solicitor General, if there is any appeal to revolt because we trust more than he does to our broad-minded English compatriots of this country than they do themselves? We take no other position to-day than the one we took on the second reading of this Bill, when the whole House, by a majority of 81, asked that full justice be granted to a minority in the west, when every one recognized that we had a moral obligation and should render justice to the Northwest. What are we claiming to-day more than that? We claim nothing else than what we should have by the constitution, that the minority in the west may be treated in the same way as if they were the majority of the district. I ask you, Sir, and I ask any member if it is asking too much, and if it is an appeal to revolt, to say that if we had presented the question to our English-speaking compatriots in its true light, as it should have been presented, we would have had more justice given to us? That is the justice that we have a right to expect. The right hon. leader of this House, speaking on the 8th of June last of the difference between clause 16, No. 1, and clause 16, No. 2, said:

> The difference is simply this, that in clause 16, No. 1, the law of 1875 was enacted, giving to the minority—I suppose the Roman Catholic minority—the control over secular education as well as the control over religious education, whereas the new clause brings into force the existing law of the Territories, the ordinance of 1901, by which the state has absolute control over the secular part of education, and the people have control simply of the religious part of education from half-past three in the afternoon. I have for my part agreed to the new clause 16, and in so doing I know that I have restricted my fellow-religionists in regard to some of the rights which they think they have at this moment. I shall explain in due time why I agreed to do so.

Well, Sir, I listened this afternon to the right hon. leader of this House, and I did

not hear him give the explanation which he told us that his co-religionists had a right to expect. If there is one good reason that can be given for the change in the policy of the government other than that stated by 'Le Canada,' 'Le Soleil,' and the other Liberal papers in the province of Quebec, that the government was afraid of the narrowness of mind of the English-speaking people of this country, let us hear it. I ask, where is the appeal to prejudice to be found? In the words of the hon. member for Labelle, or in the English speaking organs of which the Solicitor General said he was one of the inspirers. In voting against the government on this question, I do not think I abandon the Liberal policy of this government. On the contrary, as I said before, it is the government that has abandoned its policy, and it seems to me that our Tory friends on the other side of the House are more consistent than the government because they for their part always denied to the minority of the Northwest any right to justice. What do we ask ? I will quote what was said by my hon. friend from South Perth (Mr. McIntyre), who is opposed to separate schools in the Northwest. He said :

To say to me that the Bill gives little to Roman Catholic minorities is not in itself a recommendation. I am not seeking to find how little I can give to the minority in this case, but I am urging on the government the desirability of ascertaining what the constitution does give. If the constitution itself, according to the decision of the courts should give more to the minority than the present Bill gives why should we seek to deny that to them ?

Well, Sir, is there any doubt that the law of 1875, which is still the constitution of the Northwest, gives more to the Catholics than the amendment which we have today ? I do not think there is any doubt, and I protest against the statement of the Solicitor General that we are making an appeal to revolt because we ask for our rights. If I spoke my own language, I might be too violent; but I will quote the language of one of the ministers of the present government, the Minister of Inland Revenue (Mr. Brodeur), who, speaking in the House of Commons in 1894 on Mr. Tarte's motion for the production of documents relating to separate schools in Manitoba and the Northwest, said this :

(Page 1993). The hon. member for Assiniboia (Mr. Davin) in the course of his speech said that the Catholics of the Northwest and the French Canadians of the Territories had no grievances against the ordinance of 1892. I must say that my hon. friend is entirely in error in taking that position and in making that declaration. I will prove in a moment that the Catholics have received from the Northwest legislature the most grievous treatment that could be received by a minority from a legislature.. . .

(Page 1997). Since a few years everything has been done by those who control the government of the Northwest to destroy the rights of the Catholics in that country. . . . My hon. friend from Assiniboia (Mr. Davin) asserted the other day that the teaching of French stands in the same position to-day as it did in 1888. I deny that assertion entirely. My hon. friend is quite mistaken. I will prove conclusively that the law has been disregarded in the Northwest in order virtually to destroy the use of the French language. . . . . .

(Page 2008). It will be seen from this that according to the ordinance of 1888, the French language could be used in the separate schools during the whole course, but according to the ordinance of 1892 French is only permissible for small children of five, six, seven or eight years old. It therefore cannot be denied our French Canadian people have been deprived of the rights which they had under the ordinance of 1888. . . . . .

(Page 2009). Under the ordinance of 1888, French Canadians could pass their examinations for teaching in the French language, but now, as you will find by the assertion of the secretary of the council for public instruction, they cannot do so. If the hon. member for Assiniboia (Mr. Davin) does not find any grievances in all the facts I have brought before this House, then I must say that he is a very difficult man to satisfy. . . . . .

(Page 2010). My hon. friend from Assiniboia (Mr. Davin) has said : You are not deprived of your schools. You have your separate schools No, we have no separate schools now in the Northwest. The right of having separate your schools. You have your separate schools. choosing our books, appointing our inspectors, and appointing our examiners. All these rights are now denied by the ordinance of 1892 ; and consequently we have no longer separate schools in the Northwest . . . . . .

(Page 2014). It is very much to be regretted that men who call thmselves liberal have thought fit to abolish separate schools in Manitoba, and the use of the French language. But there is one thing in that connection which affords me great pleasure, and that is that when the Manitoba government proclaimed that policy, all the Catholic Liberals in Manitoba rose as one man to protest against it. And those who had portfolios in that government resigned their positions. Do we see the same thing today in the federal government ? Do we see the French Canadian members of the cabinet resigning their seats when they find the government of which they are members abolishing separate schools in the Northwest ? No ; there is no danger. It is true that Martin the Liberal, has abolished separate schools in Manitoba ; but the French members of the Manitoba government resigned when that was done. Here we see the federal government virtually abolishing the separate schools of the Northwest, and, at the same time, we see the French Canadian members keeping their seats in the cabinet, and, consequently, approving what the government has done. . . . . .

(Page 2015). Is it not to be deplored that in this country the French Canadians and Catholics should be treated as they have been ? In the province of Quebec, where we have a majority, we have treated the Protestants with justice. They have no complaint to make against us. Why should they not give us in Manitoba and the Northwest the same right that we give to the Protestant minority in Quebec . . . . . .

(Page 2016). I will ask my hon. friends on this side who come from Ontario to be just to the Catholics of the Northwest, as their great leaders in provincial politics are just to

the Catholics in this province. We hope that they will help us restore to the Catholics of the Northwest the rights of which they have been deprived, and I trust the Liberal party will continue to be just, as it has always been, to the minority.

Have the hon. member for Labelle and myself said anything more violent than was then said by the present Minister of Inland Revenue? Could I use any stronger language, and if I did not repeat it, I should be a coward. When my fellow countrymen are deprived of the rights granted to them by the constitution and guaranteed by every treaty relating to this country, I am proud enough to stand up here and say that we are being given, not a loaf of bread, but a stone. What is the object of the legislation which we are enacting at this moment? What is the object of these ordinances which we are re-affirming ? It is this : You will find it stated in the report of the inspector of schools for Northern Alberta. Speaking of foreign languages—and the French language falls into that category—he said :

> The quickest and surest method of assimilating the foreign elements in our population is through our schools. . . . The best teachers —better for not using the language of the locality—should be secured for these foreign schools. It might be well to offer a bonus to suitable teachers for these districts, the more especially as the nature of the accommodation is not always the most inviting.

Have I not the right to stand up here and say that I object to having the French language abolished and a bonus paid to professors and teachers who do not understand French, in order that they may more easily assimilate the French Canadian with the other people in the Northwest ? What is the reason given by Dr. Goggin, late superintendent of education in the Territories, for abolishing the use of the French language? He says that if French is taught in the schools, the Germans, Doukhobors, Galicians and any other nationality would have the right to have their own language similarly taught. That may be, but it seems to me that there should be a difference made in this parliament between the French Canadians, who have been here 300 years, and the Galicians or Doukhobors or any other of the breeds imported lately. That is the position we take, and I think it is not using violent language or making appeals to passion or prejudice to claim the rights promised us most solemnly in the name of the Queen when the Northwest entered the union and were also promised us not later than the 21st of February last.

Mr. TURGEON. If I rise to address the committee at this hour it is because some references have been made to the position of the minority in the province of New Brunswick, from which I come, which were not only injudicious but unfounded on fact. We have had the hon. member for East Grey (Mr. Sproule) contending that clause 93 of the British North America Act does not apply to the maritime provinces, but only to the provinces of Quebec and Ontario. Against that contention of the hon. gentleman, I would set the judgment of the Supreme Court of New Brunswick on the school question, given in 1872, and which has been our guide there ever since. And in that judgment the court declared, contrary to the opinion of the hon. member for East Grey, that the clause referred to of the British North America Act applies not only to the provinces of Ontario and Quebec, but to every province in confederation. That, it seems to me, effectively disposes of the argument of the hon. gentleman. In the speech which I had the honour to deliver on the second reading of this Bill, I thought I had made this point perfectly clear, but inasmuch as some hon. members evidently persist in holding the opposite contention, I thought it would not be at all out of place if I should refer to it again. With regard to the eloquent plea made by my hon. friend from Labelle (Mr. Bourassa), whose ability and knowledge and earnestness in the cause he advocates I fully recognize, I may assure the House that I deplore just as deeply as he possibly can the fact that our co-religionists and compatriots in the Northwest are not given these right and privileges which we, French Canadians and Catholics, so deeply cherish and should like to see enjoyed by all sections of our race and creed wherever settled. I see the hon. member for East Grey (Mr. Sproule) shaking hands with the members for Labelle (Mr. Bourassa), and Montmagny (Mr. A. Lavergne.)

Mr. Chairman, I hail this pleasing incident as a sign of the times and the best augury we could have for future conciliation and harmony, and I think the whole House will join with me in expressing the hope that out of this rather at times embittered discussion, a better feeling may result between all creeds and races, such as we have just had evidence of in the present rapprochment of the hon. member for East Grey and the hon. member for Montmagny, and that in the practical working out of the proposed law, the Catholic minority in the Northwest may secure a better and more generous treatment than a rigid adherence to the letter of the law might exact. As I said, Mr. Chairman, I regret that my compatriots and co-religionists in the Northwest are not given all the rights and privileges we desire they should enjoy. But we are not here to legislate according to sentiment. We are here to legislate according to the constitution, according to the limited powers given this parliament by the British North America Act which brought together our many provinces and territories. We are here to grant the minority for all time to come whatever rights and privileges they now possess under the law. I admit that by the Act of 1875, which was passed unanimously by both sides of this parliament—Liberals and Conservatives alike

—the Catholic minority in the Northwest Territories were granted rights and privileges to the fullest extent they could desire and enjoyed these rights and privileges down to 1892. But, I am sorry to have to confess, those rights and privileges were considerably curtailed in 1892 by the legislature of the Territories. They were curtailed by their own local legislature, whose members were elected by the people, whose executive council was responsible to the people, and to which was given the supervision of the status and condition of education in that country. The law existing previous to 1892 was amended, not to the advantage of the Catholic minority, I admit, but still that was done by the local legislature elected by the people, and we must take it for granted that in amending a law, a legislature has the intention of bettering the existing conditions, said legislature may err, may make a mistake, but intendedly its action is supposed to be moved towards an improvement. If I understood the hon. member (Mr. Sproule) correctly, he said that section 93 of the British North America Act did not apply to the maritime provinces, did not apply to the province of New Brunswick. Mr. Chairman, in the course of the speech which I had the honour to deliver on the second reading of this Bill, I proved that section 93 did apply to the province of New Brunswick and to the maritime provinces; and the judges who gave decision on the question of the constitutionality of the Act against which we appealed upheld the view I take.

Mr. SPROULE. The hon. gentleman (Mr. Turgeon) has misunderstood me. I did not say that section 93 of the British North America Act did not apply to New Brunswick. I said it did apply.

Mr. TURGEON. The hon. member said that it applied to Quebec and Ontairo, but I understood him to say that it did not apply to New Brunswick. If I misunderstood him, of course I accept his correction. But, at the same time, it may be as well that I should continue my argument. In New Brunswick, we had the privilege of denominational schools—both the Catholics and the Protestants; but we did not apply to the court against the law under which the schools were inaugurated. To eliminate any doubt that may exist in the minds of any of my colleagues, I may say that we had not appealed to the court on the privileges which had been granted to us by the board of education, or the inspectors under that board. The Supreme Court judges said they would be prepared to look into our claim were we coming before them upon the merits of those privileges. Instead of taking that step, after so many years of struggle, the Catholic minority of New Brunswick preferred to work out their own fate. Before I go further, it may be that I ought to substantiate my statement by quoting the words of the judges in giving their judgment. With reference to the privileges which the Catholic minority had been enjoying, the judges say:

If the right and privilege falls under section 93, and if there is no power to compel the board of education to make such a regulation, or the legislature should have inserted a clause in the Common Schools Act, requiring them to do it, is not this just a case where subsection 4 of section 93 of the British North America Act of 1867, applies? viz.:

In case such provincial law, as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section is not made, then as far only as the circumstances of the case may require, the parliament of Canada may make remedial laws for the due execution of the provisions of this section. In this connection we may refer also to the 20th regulation, which, it has been contended, prejudicially affects the rights and privileges which the Roman Catholics had under the Parish School Act. This regulation declares that 'symbols or emblems distinctive of any national or other society, political party, or religious organization, shall not be exhibited or employed in the school room, either in its general arrangement or exercises, or on the person of any teacher or pupil.' It may be, that the board of education have disregarded the general policy of the Common Schools Act, and interfered with the rights of teachers, parents and children, in excluding from the schools alike, teachers and pupils, who may exhibit on their persons, in dress or ornament, symbols or emblems distinctive of any national or other society, political party, or religious organization; for, however clear the right of the board of education may be to make regulations necessary for the good government and discipline of the schools, to make arbitrary, restrictive regulations, as to the dress or personal adornment of the teachers and pupils, or which are calculated unnecessarily to interfere with the feelings, national, social or religious, in matters not calculated to give any just cause of offence to others, or to interfere with good order in the schools, is quite another question. And while it is by no means clear to us that any power exists in the board of education, under the Common Schools Act, by regulation, to deprive teachers, parents and children, of their right of access to the free schools of the country, to the support of which they, and all others, are forced to contribute, unless they submit to such regulations; and though the assumption of such power of practical expulsion by the board of education raises a question involving important and delicate rights—rights which, in this land of civil and religious freedom, few may be willing to see infringed—or at any rate, raising discussions which must be unpleasant to those engaged in them, and calculated to result in consequences which can scarcely fail to produce acrimonious feelings, and in the end be injurious to the cause of free education, which we must presume the regulation objected to was intended to further.

Now, I wish to call the attention of the House particularly to these words:

All we can say is, as the case stands, the regulations are not before us in such a way that we can deal with them, and therefore we

are not called upon to express any decided opinion as to their validity.

These last words are sufficient evidence of the fact that the Catholic minority of New Brunswick might have appealed to the courts with a great chance of gaining all these privileges. This part of the judgment may become useful at some other opportunity. The hon. member for Labelle (Mr. Bourassa) said that the Liberal members who supported the amendment brought in by the Prime Minister (Sir Wilfrid Laurier) were not true to their principles. I have the greatest respect for my dear, very dear friend, the hon. member for Labelle. None in this House more sincerely admires his ability, his deep knowledge, and his telling eloquence, and it would be with timidity that I would rise in contradiction to any statement, historical or constitutional, he may make. But when my hon. friend rises in this House and says that the right hon. the leader of the government and every Catholic member of the Liberal party is a coward, I have, Mr. Chairman, as a Catholic member, a French member from New Brunswick, I have to resent such an accusation. My life has not been a life of eloquent deliverances, of famous speeches, the echoes of which may have vibrated abroad, but, my neighbours in New Brunswick in this House will be ready to corroborate my statement when I say that my life has been a life of hard work, of constant and energetic efforts for the promotion of the welfare of my French compatriots in the county of Gloucester and throughout the province of New Brunswick. None will accuse me of having at any time failed in my duty towards them as French people or as Catholics, and in the exercise of my parliamentary duty on this solemn occasion, I have to follow the voice of my conscience, refuse to be carried away by my inconsiderate feelings, and act not according to my personal wishes, but after an intelligent study of the question before us, with the ambition of translating to our co-religionists of the west, all the privileges they are entitled to by the constitution, refraining from a desire of inserting cherished favours which an appeal to judicial authorities would at once eliminate after a useless excitement of feelings. As a member of the minority in New Brunswick, I must say that we have had to make a fight to gain and hold the position that we now have. We made that fight pacifically, but we made it advantageously. I feel deeply grieved that the French and Catholic minority in the Northwest, which is as dear to me as to any one, will not be given by the constitution all the privileges that I would like to see them enjoy. But, Mr. Chairman, I do not despair for all that of the Catholic minority and the French population in the Northwest. It is no more necessary for them to despair than it was for us of the New Brunswick minority to despair. I believe that the minority in New Brunswick are an example and should be an inspiration for the minority in Manitoba and the Northwest. Certain rights are being granted to them by the constitution, and their future is as bright as ours was. We of the minority in New Brunswick have had to work our own case. We are working it out, slowly perhaps, but surely, and during the last twenty years the French Acadian population in New Brunswick has made as great progress in popular and primary education as has the French population in any of the rural districts of Quebec.

As I have said, we have occasionally had statesmen in our province who understood the rights of minorities, and who understood that it was the duty of the rulers of a country so to legislate that every child in the country should be educated, whether he was French, Scotch or Irish. I am sure that it is with great regret that the right hon. the leader of this government cannot give to his co-religionists and compatriots in the west a greater measure of privileges, which might place them on a better footing. But we are to-day compelled to take the position—I would not call it a humiliating position, but a constitutional position—that we cannot grant to our co-religionists all the privileges that we would desire to give them. In the province of New Brunswick we enjoy certain privileges which the judges of the Supreme Court of our province considered not to have been granted by the law of the province and said privileges were maintained by the court. The constitution to-day can only grant such rights and privileges as are possessed by minorities, Catholic or Protestant, by the law of the country. That was the consideration upon which the judges of the Supreme Court of New Brunswick based their judgment.

It is not by what the board of education, superintendent, inspectors or trustees may have done or allowed to be done under the Act, nor is it from the mode in which the principles of Christianity may have been actually practically taught in one or a hundred schools which may have drawn public money under the Parish School Act, that the question in a legal view must be determined. We must look to the law as it was at the time of the union, and by that, and that alone, be governed.

The law regarding separate schools in the Northwest Territories is based on the ordinances which are brought into force by the amendment, and which accords rights and privileges to the minorities, whether Catholic or Protestant, of which they are now in the enjoyment in pursuance of their own legislation, passed by a legislature elected by the people themselves. These ordinances which are now in existence are adopted by the constitution of the new provinces, and will secure for all time to the minorities the privileges they now enjoy. I must say that if to-day we cannot give to the people of

the Northwest Territories that measure of privileges which we think they are entitled to with respect to religious teaching in the schools, it is certainly due to the action of the Conservative government, which refused to exercise their veto on the ordinances which were eliminating old consecrated rights and privileges upon the minority of the Northwest and which deprived the minority of privileges they were enjoying. But as regards the legislation of the present government, I have to say that the position taken by the right hon. leader receives the fervent approval and the earnest sanction of all the Catholic Liberals of New Brunswick; I go further, and say that I have heard lately some of the greatest Catholic authorities in New Brunswick, who have always been Conservatives in politics and who may remain so, say that the action taken by the right hon. the Prime Minister on this question is worthy of his past fame.

Amendment (Mr. Bourassa) negatived,—Yeas 7; nays 126.

Progress reported.

BUSINESS OF THE HOUSE.

Mr. FIELDING. I desire to make a motion for the purpose of correcting a clerical error in the proceedings of the House. Attention has been called to the fact that certain Bills have been sent back to the Senate after having been amended but that the amendments have not been sent with the Bills. It becomes necessary to recall the Bills from the Senate in order that the amendments may be attached. I therefore beg to move:

That a message be sent to the Senate to inform them that the Bill sent down from the Senate intituled 'An Act respecting certain patents of the Ideal Manufacturing Company' was passed by this House with certain amendments, but that by some mistake the said Bill was returned to the Senate without these amendments, and to request that the Senate will give leave that these amendments be inserted in the said Bill by the proper officer of this House.

Motion agreed to.

Mr. FIELDING moved:

That a message be sent to the Senate to inform them that the Bill sent down from the Senate intituled 'An Act to amend an Act respecting certain patents of William A. Damen' was passed by this House with certain amendments, but that by some mistake the said Bill was returned to the Senate without these amendments, and to request that the Senate will give leave that these amendments be inserted in the said Bill by the proper officer of this House.

Motion agreed to.

Sir WILFRID LAURIER moved the adjournment of the House.

Mr. R. L. BORDEN. The same Bill will be on for discussion to-morrow?

Mr. TURGEON.

Sir WILFRID LAURIER. Yes, and I hope we will finish it to-morrow.

Mr. R. L. BORDEN. The right hon. gentleman is responsible himself for the circumstance that it has not been finished to-day.

Motion agreed to, and House adjourned at 12.40 a.m., Thursday.

HOUSE OF COMMONS.

THURSDAY, June 29, 1905.

The SPEAKER took the Chair at Three o'clock.

QUESTIONS.

BURRITT'S RAPIDS LOCK.

Mr. J. D. REID—by Mr. Sam. Hughes—asked:

1. Was James Todd lockmaster at Burritt's Rapids lock?
2. If so, for how long?
3. Has he been dismissed?
4. If so, for what reason?
5. Who has been appointed in his place?
6. Was William Ormrod lock labourer at Burritt's Rapids lock? If so, how long?
7. Has he been dismissed? If so, for what reason?
8. Who has been appointed in his place?

Hon. H. R. EMMERSON (Minister of Railways and Canals):

1. Yes.
2. Twenty-five years.
3. No; he was not dismissed, but was superannuated.
4. On account of age.
5. John Merryfield.
6. No.
7. No; he has not been dismissed, but was not re-employed as bridge-tender upon the opening of navigation in spring of 1905.
8. William Swain was employed as bridge-tender at Burritt's Rapids for the season of 1905.

SALE OF OLD DRILL HALL, LONDON, ONTARIO.

Mr. ELSON asked:

1. Has the old drill hall in the city of London, Ontario, and the lot of land in connection with it, been sold?
2. If so, was each parcel disposed of by auction or by tender?
3. If sold by tender, what are the names of the persons who tendered, and the amount of each tender?
4. To whom was each or both of the said properties sold, and what was the price obtained for the same?
5. What was the date of sale?

Hon. Sir FREDERICK BORDEN (Minister of Militia and Defence):

1. Yes.
2. By tender.

3.

Name of tenderer.	Amount.
Edward Shea	$13,250
John Garvey	13,127
R. G. Fisher	13,000
D. McIntyre	13,000
P. Walsh	12,550
J. W. Jones, A. T. McMahon	12,010
H. Cronyn	12,000

4. Edward Shea; price, $13,250.

5. The tenders, which were advertised for on April 6, were receivable up to noon April 20, 1905, and the property was conveyed almost immediately thereafter.

INSPECTION OF WATER METERS.

Hon. L. P. BRODEUR (Minister of Inland Revenue) moved that the House go into committee to-morrow to consider the following proposed resolution:

That it is expedient to provide for the inspection of water meters, and to authorize the Governor in Council to fix the fee for such inspection.

He said: His Excellency the Governor General, having been informed of the subject matter of this motion, recommends it to the favourable consideration of the House.

TRADE RELATIONS WITH JAPAN.

Mr. R. L. BORDEN. Before the Orders of the Day are called, I would like to ask the government not to forget to lay upon the table of the House the Orders in Council with regard to the treaty between Japan and His Majesty's government to which reference was made a few days ago.

INTERCOLONIAL ENGINEERS, STEAMER 'SCOTIA.'

Mr. R. L. BORDEN. Before the Orders of the Day are called, I would bring to the attention of the Minister of Railways and Canals statements which have been made to me with regard to the engineers on the steamer 'Scotia,' employed in the carriage of passengers between Port Mulgrave and Hawkesbury. I have no knowledge as to the accuracy of the statements made, but as they have been given to me by persons who profess to know whereof they speak, I consider it my duty to bring the matter to the attention of the government. It may not be possible for the Minister of Railways and Canals to answer me to-day, but if not, I shall be glad to have an answer at the earliest convenient time. The statement is made that this steamship has been running with only one certified engineer and that this engineer holds only a second-class certificate. It is alleged that the Steamboat Inspection Act—if that Act applies to steamers operated by the government—requires for such a boat three engineers holding first, second and third class certificates respectively. It is alleged that in this case only one engineer holds a certificate, that he holds only a second-class certificate and that the other engineers have had no experience on sea-going boats. It is further alleged that the wages paid on this boat are such as to enable the government to employ men possessing the qualifications called for by the Steamboat Inspection Act, the three engineers being paid respectively $140, $105 and $60 per month, while on local boats the wages run from $50 to $65 a month, and they are compelled by law to carry engineers who are duly certified. It is also alleged that there is no lack of competent men to fill these positions. If the Minister of Railways will be good enough to make the necessary inquiry and give the answer as soon as convenient, I shall be glad.

Hon. H. R. EMMERSON (Minister of Railways and Canals). The matter referred to by my hon. friend (Mr. R. L. Borden) has been before me for some time. I received the communication—I presume it was the same—that he has received, stating the case. I am not personally familiar with the matter and cannot speak as to the correctness of the allegations; but I have already asked the general manager of the Intercolonial Railway to make a report to me setting forth all the facts. The steamer in question is a ferry boat which conveys cars and passengers between Mulgrave and Point Tupper in connection with the running of the Intercolonial between Truro and Sydney. The conditions which prevail there now are the conditions which have prevailed for some time. I am not personally familiar with the appointment of the officials in question or as to there having proper certificates. Another question that, as I presume, would arise in connection with the matter, is how far, such a steamer will be subject to the Steamboat Inspection Act?

Mr. R. L. BORDEN. If I may be permitted a word, I would say that if these regulations are necessary in the public interest in the case of steamboats operated by private owners, one would think that they should be equally carried out, even though the letter of the law may not require it, on boats which are operated by the government. A very large number of passengers is carried by the boat, and sometimes under very difficult conditions, as the hon. minister knows. Therefore, I should think that this is a case in which not only the spirit, but the letter of the law should be carried out. In case of a serious accident, even if it did not result from failure to observe the requirements of the law I mentioned, it would be associated in the public mind with that failure; and it would be very unfortunate—of course the minister will agree—that such should be the case.

Mr. EMMERSON. I quite concur in what my hon. friend says. As to the qualifications of the officers, I am, of course,

assuming that these men are properly qualified. I will know more about the matter, and, as soon as I have the information, I will explain it to the House.

THE MINT—TRANSPORTATION OF IMMIGRANTS.

Mr. F. D. MONK. I ask leave to remind the right hon. leader of the House (Sir Wilfrid Laurier) that the correspondence with the Imperial government in regard to the establishment of a branch of the Royal Mint in Canada, has not been brought down although it was ordered on February 15th. I made mention of that to my hon. friend, and this I think we will require. I would like to ask the government also if they have received any protest or communication of any kind from any foreign government in regard to the ten year contract for the transportation of immigrants from the continent of Europe to Canada ?

Sir WILFRID LAURIER. I will inquire about that, and will answer my hon. friend probably to-morrow or Monday.

POSTAL ARRANGEMENTS IN THE HOUSE OF COMMONS.

Mr. SAM. HUGHES. I desire to draw the attention of the First Minister to the fact that the postal arrangements in the House are very primitive, resembling some rural post office. I take the liberty of suggesting that the Public Works Department supply the members with a box or a drawer from which they can get their mail matter. They are put to much inconvenience now by having to wait and the letters and papers get mixed up. I assume that this reminder to the Speaker and the First Minister will be sufficient to have this remedied by another session.

PROVINCIAL GOVERNMENT IN THE NORTHWEST.

House in Committee on Bill (No. 69) to establish and provide for the goverment of the province of Alberta.—Sir Wilfrid Laurier.

On section 16, legislation respecting education.

Mr. J. G. H. BERGERON. Mr. Chairman, I beg leave to move the following amendment of which notice has already been given:

That all the words of the amendment be struck out, and the following substituted therefor : 16. Section 93 of the British North America Act, 1867, shall apply to the said province as if at the date fixed for the coming into force of this Act, the territory included in the said province were already a province, the word union in the said section meaning the said date :—

2. The legislature shall have the right to pass laws with reference to education, but it shall always guarantee, (a) the existence of separate schools and their enjoyment by the minority, Protestant or Catholic, who may claim them ; (b) the effective control of said schools in matters of teaching by the said minority ; (c) the full liberty for the majority of any school section to have such school as it may desire ; (d) the equitable and proportionate distribution between the majority and the minority of all moneys appropriated for education.

I suppose, Mr. Chairman, you must think I am very bold to rise at this time and propose an amendment, and it does require a great deal of courage after the treatment accorded yesterday to the amendment of the hon. member for Labelle (Mr. Bourassa). I desire to be as brief as possible in the remarks I propose to make. I want to say immediately that my action on this occasion is prompted by a very strong sense of what I believe to be my duty on this occasion. The remarks we heard yesterday from my hon. friend from Labelle and my hon. friend from Montmagny (Mr. A. Lavergne) will assist me a great deal in making my remarks short. I was agreeably surprised to see in the ranks of the majority coming from the province of Quebec that there were some gentlemen with sufficient independence to express the opinion which they expressed yesterday. It is needless for me to say that I think the position I occupy on this question is a sound one. When I saw my hon. friends from Labelle and Montmagny speaking in the same sense, I thought there was still hope that we might be able to convince, if not the government to-day, at least the electors later on, that the position we have taken is the right one. The remarks made by the hon. member for Labelle must have gone home, if we may judge by the reply of my hon. friend the Solicitor General (Mr. Lemieux) who, in a very eloquent harangue, endeavoured to draw a herring across the trail, and to weaken the effect of the remarks of my hon. friends from Labelle and Montmagny. The Solicitor General, who is a very eloquent and able man, said certain things which, when he comes to think them over, will considerably dampen his enthusiasm. In speaking of the position which the French Canadian race has reached in this country, he said that what struck him the most was the high positions in the state to which some of our French Canadians have attained. Naturally he mentioned my right hon. friend the premier of Canada, he mentioned the Chief Justice of the Supreme Court, he mentioned the lieutenant governor of the Northwest Territories, the lieutenant governor of British Columbia, and the chief justice of the Court of Appeal for the province of Manitoba. I do not know whether he should have mentioned these things. My hon. friend is a reader, and if he has read carefully the reports of Lord Durham he may conclude that it would have been better not to mention these things. I do not think that we can correctly judge of the position of a race by noticing some of the high positions which certain of its members may

have attained. Speaking as a French Canadian, as a man who holds different ideas probably from most of the members of this House, I say that the French Canadian race would stand higher to-day than it does if the minority in Manitoba were in the enjoyment of all the rights to which they are entitled. That, to my mind, would be a better proof of the position which my compatriots occupy in the confederation. These things show that some individuals are men of talent, but where is the race? A few of them shine, but where is the French Canadian race in the province of Manitoba? Where will be the Roman Catholic minority in the Northwest Territories after this law is passed? It seems to me that I am giving some food for reflection to the Solicitor General, which he will have to mention if he speaks again on this question. Now, Sir, it seems to me that we are confronted by two propositions very clear and distinct; the position taken by my hon. friend the leader of the Conservative party, which is, as he says, to stand by the constitution, by clause 93 of the British North America Act, and the position of my right hon. friend the Prime Minister, who also says he wants to stand by the constitution, though at the same time he proceeds to amend it. The leader of the opposition says: We must leave everything to the provinces, without saying whether they shall have separate schools or not; we will have nothing at all to do with the schools, whatever they are. Well, that may be good policy, but I do not think it is, and have shown it by my vote. I am very sorry to differ from my hon. friend the leader of the opposition, but I am bound to do so.

Mr. R. L. BORDEN. I do not know that my hon. friend (Mr. Bergeron) states my position exactly as I would like it stated. My position is that we ought to apply section 93 of the British North America Act because it is part of the constitution; and in reply to my hon. friend the Minister of Justice, I said that I thought that section would leave the new provinces free to enact legislation with regard to education. I said there was a difference of opinion as to that, but whatever the result might be, I was prepared to accept it loyally, because we would be applying the constitution.

Mr. BERGERON. Well, it may be that my language did not sufficiently express my idea. I mean that the position taken by my hon. friend is to leave all educational matters to the management of the local legislature.

Mr. FITZPATRICK. The first amendment will have that effect.

Mr. BERGERON. That is what I understand, but it does not make much difference to my argument. The position taken by the leader of the opposition is that he stands by section 93 of the British North America Act.

Mr. R. L. BORDEN. That is it.

Mr. BRODEUR. Not necessarily. If section 93 does apply then he stands by section 93.

Mr. R. L. BORDEN. In so far as it applies.

Mr. BRODEUR. Yes, if it applies.

Mr. BERGERON. Any way he starts at clause 93.

Mr. BRODEUR. No.

Mr. BERGERON. Well, I understand it in that way, and if I am to judge by the remarks which were made by my hon. friend I will still persist in understanding it in that way. It seems to me that his remarks went to show that he had nothing at all to say in regard to the kind of schools that they should have. I heard him say that if it suited the local legislature of these provinces to enact a separate school law, he would have nothing at all to say against it. Of course, this would fall under the principle of autonomy. Well, that is the position of my hon. friend. Although I do not agree with it, I want to say that it is a manly position whether it is good or bad. We know where he is. But, that is the position of my right hon. friend the leader of the government (Sir Wilfrid Laurier). The position of my right hon. friend is a mixture. He wants to stand on the constitution as much as he can, but at the same time he wants to do something else. I think he was right when he proposed under the first clause 16 to apply something else to this question than the provision involved in section 93 of the British North America Act. I voted for that. That was a plain, clear proposition. But we shall see later on why he made that proposition. This amendment which is now before us means nothing at all. It is neither standing by the constitution as defined by section 93 nor does it recognize the rights of or do justice to the minority in these two provinces. It is opportunism. Will you have it white?—there it is. Will you have it black?—I am giving it to you under clause 93 of the British North America Act. That is why the amendment which I intend to propose calls things by their names. Some hon. gentlemen from the province of Quebec will later on say and write in their papers that they are in favour of granting separate schools to the minority in the Northwest. But, if they are they will have to vote for the amendment which I propose, and not for the proposition which has been placed before the committee by the government. Why was my right hon. friend prompted to do something for the minority? I want to give him the credit of saying that he did intend to be just to the minority. That brings me to say why I look upon this question—I am always tempted to speak of

the two provinces because the same principle applies to both—in a different light from that in which it is viewed by my hon. friends who have spoken here. It seems to me that we are here to continue the great work which was commenced long ago. We are not here to stand on the abstract questions of the constitution. The constitution of Canada was made for men and not Canadians for the constitution. If we read the history of our country, if we start from the commencement and read it with a great deal of care, we must come to the conclusion that the history of the people of this country is a most extraordinary one. We all remember that great event on the Plains of Abraham when the soldiers of two great nations met far from their respective homes and when the two opposing generals fell together and mingled their blood upon the same battlefield. A monument has been erected to perpetuate the memory of that day. There is something significant in that. Why were these two races placed there side by side? Do we not recognize the hand of Providence which ordained that this great northern part of America should be built up by the descendants of the two greatest nations in the world, the English and the French, who, since 1759, have lived happily together, as happily as men can live together and more happily than people of the same race and origin sometimes live together. If we pass by degrees through the history of our country we find other events of almost equal significance to that of which I have spoken. More than that; there was a time when some English politicians, sent out here as governors, tried to crush one of the two partners who were building up the nation on the north shore of the St. Lawrence. What was the result of it? Every man who knows the history of this country has in his mind just now the constitution of 1841. Was it not adopted to crush the French Canadian element? It was. Did it succeed? No, on the contrary, probably the most brilliant and most useful part of our history dates from 1851 and continues until the great coalition of 1854. Talk about the abstract letter of the constitution! Let us rather study the minds of those who framed the constitution of this country, let us go back to 1854, when, after struggling for years and years, two men, prompted by Providence, one from Ontario and one from Quebec, one a French Canadian, having the respect of his compatriots, another an English Canadian having the respect of the people of Ontario, joined hands, regardless of whether they were Conservatives or Liberals, regardless of whatever might have been their past differences or ways of thinking and united like patriots with the object of continuing here the peaceful work of the two races who had stood together in the province of Canada. I refer to Lafontaine and Baldwin whose names will go down to

posterity as those of the two great founders of the Dominion of Canada. Then, later on we had the compact which resulted in confederation.

We have heard a great deal said in regard to this question from both sides of the House, but more probably on this side of the House and naturally so because a great many hon. members on the other side of the House do not say openly what they think. They are not obliged to do so. We know what it is to be in power. Our friends on this side of the House are more free to criticise. A great deal has been said about this famous clause 93 of the British North America Act in regard to schools. The province of New Brunswick, of which my hon. friend from Gloucester (Mr. Turgeon) was speaking with so much eloquence last night, and the province of Nova Scotia were not, as he said, bound by section 93 of the British North America Act, and he said that the new provinces should not be bound. There is a great deal of difference there. It is true that Nova Scotia and New Brunswick were not bound by that clause. Quebec and Ontario alone were bound, but if you recall the spirit which animated the men who were at the birth of this country you will find that the promises which were made before the adoption of the British North America Act were made to whom? Not to the people of Quebec, not to the people of Ontario, but they were made to the French Canadians who were found here by the English government in 1759, and these promises formed the basis of the treaty of 1763. Would you allow me in case these things may be forgotten to place before the committee some of the promises which are made.

I do not attach so much importance to the exact words of the constitution, as I do to their spirit and as I do to the indication which they give as to what was in the minds of the pioneers of this country when they were laying the foundation of the basis of our nationality. I interpret the constitution in that light, and I endeavour to find if we are worthy successors of the men who laid the corner stone of the Canadian nation. Promises were made to the French Canadian people. These promises were made by England at first, and afterwards by those in Canada who controlled the destinies of the nation. I have often heard it asked: Why should the all powerful England have made promises when she had crushed the little French Canadian colony on the banks of the St. Lawrence? Well, there is some difference of opinion as to that, but at all events it is true that French Canada was ceded to England. French Canada may have been conquered according to the opinion of some, nevertheless there was a cession. However I shall not quarrel over words; for the sake of argument I will admit that French Canada was conquered by England one of the greatest colonizing nations in

the world ; a nation which has made her colonies her equals ; a nation whose strength lies in the very fact that wherever the British flag floats there is liberty and everything akin to liberty beneath its folds. For whatever reason it may be, England made promises to the French Canadian people. In 1759 the following promise was made on the good faith of the English nation :

That the free exercise of the Catholic Apostolic and Roman religion shall be preserved.

I want you, Sir, to remember that, because I think I shall be able to show conclusively that separate schools—I do not like that word 'separate' schools, because to my mind it means nothing—I want to show conclusively that denominational schools, Catholic schools, are a part of the Catholic religion and that the free right to have Catholic schools is inherent to the free exercise of what this document calls : 'the Catholic Apostolic and Roman religion.' The treaty of 1763 contained these words :

His Britannic Majesty on his side agrees to grant the liberty of the Catholic religion to the inhabitants of Canada. He will consequently give the most precise and most effectual orders that his Roman Catholic subjects may profess the worship of their religion according to the rites of the Romish Church, as far as the laws of Great Britain will permit.

Could a conquering power go further in promises to the small French Canadian people then numbering only 60,000 souls ?

Mr. BRODEUR. Do I understand my hon. friend to say that the treaty of Paris would apply to the territory which is to be included in the new provinces ?

Mr. BERGERON. My hon. friend had better make a note of all the questions he wants to ask me, and I will answer all of them together at the end of my remarks.

Mr. BRODEUR. I merely wish to ascertain whether the hon. gentleman was indulging in an academic discussion, or whether he was advancing argument to sustain his position with regard to the new province.

Mr. BERGERON. If my hon. friend will listen patiently he will soon know why I am making these observations. The hon. gentleman evidently was not listening to what I said when I was referring to the promises made to the French Canadians and to the Roman Catholics wherever they were in the Dominion of Canada.

Mr. BRODEUR. Even in the Northwest Territories ?

Mr. BERGERON. Anywhere. The French Canadian and Catholic people of the Northwest Territories did not come from the moon ; most of them came from the province of Quebec.

Mr. BRODEUR. I was under the impression that the Northwest Territories belonged to England before the treaty of 1763.

Mr. BERGERON. If my hon. friend will have patience I will make that plain. I do not object to the hon. gentleman putting questions, but when one is continuing the thread of an argument it is very annoying to have questions constantly put, unless the interruption has reference to something serious. Now, Mr. Chairman, if we take the Quebec Act of 1774, we will find in it substantially the same words. It says :

That subjects may have hold and enjoy the free exercise of the religion of the Church of Rome subject to the King's supremacy, and that the clergy of the said church may hold receive and enjoy their accustomed dues and rates with respect to such persons only as shall profess the said religion.

All this was promised to the inhabitants of Canada at that time who were French and who professed the Catholic religion. I take it for granted that the British government when they made these promises did not mean that they were giving these privileges only to the people who were then living, but that they were according these privileges to the entire race. England said to the Canadian Catholic people : We want you to be contented, we want you to be loyal British subjects, and in order to be so we know that you must enjoy these privileges which are sacred to you.

Mr. FITZPATRICK. Was England giving these privileges to individuals so that they might carry them around in their vest pocket ?

Mr. BERGERON. I am not aware that heirs and inheritors of privileges are obliged to carry them around in that way in this country. England was not giving to the French Canadian people any emolument ; she was granting privileges. Surely the Minister of Justice is not serious, because he must have had these things in his mind when he drafted clause 16, No. 1, or else there is no sense in that clause.

Mr. FITZPATRICK. My statement is that the treaty was given to the country and not to individuals.

Mr. BERGERON. And my contention is that this treaty was given to the whole French Canadian race. The words are plain and I read them again :

His Majesty will consequently give the most precise and most effectual orders that his new Roman Catholic subjects may profess the worship of their religion.

That is not a privilege given to the state; it is given to the Roman Catholic subjects of the King and it is worded in plain English too. This is the position in which the Catholics of Canada stood at the commencement of our history, and that position was continued at the time of confederation. Coming down to the immediate subject under discussion, let us look at the promises made to the people of the Northwest Territories and

of Manitoba. The same promises contained in the treaty of Paris and in the statutes of 1774 were made almost word for word to the inhabitants of Manitoba and of the Northwest Territories. I wish to have this recorded on 'Hansard' so that all may know now and in years to come, why we in this House take the view which I am expressing and which was expressed by some of our friends yesterday. When Colonel De Salaberry and Mr. Thibault were appointed by the Canadian government commissioners to the Red river settlement the following was contained in their instructions :

You will not fail to direct the attention of the mixed society inhabiting the cultivated territories of the Red River and Assiniboine, to the fact which comes within your daily knowledge and observation and is patent to all the world, that in the four provinces in this Dominion men of all religious creed and complexion stand upon one broad footing of perfect equality in the eye of the government and the law ; and that no administration could confront the enlightened public sentiment of this country which attempted to act in the Northwest upon principles more restricted and less liberal than those which are fairly established here.

Here ? Where is that ? In the provinces of Ontario and Quebec. Later on, instructions were given to Mr. Donald A. Smith (now Lord Strathcona) which contained the words :

The people (of the Northwest and Manitoba) may rely upon it that respect and protection will be extended to the different religious denominations ; that titles . . . and that all the franchises which have existed or which the people may prove themselves qualified to exercise shall be duly continued or liberally conferred. In declaring the desire and determination of Her Majesty's cabinet——

You see how far it came from, not only from the government of Canada but from the government of England——

—you may safely use the terms of the ancient formula that 'right shall be done in all cases.'

' Not a stone for a loaf of bread as my right hon. friend (Sir Wilfrid Laurier) said the other day would be given to these people by the amendment which is before the House.

Later on a letter was written to Mr. MacTavish, then governor of the Hudson Bay Company, in which are the words :

And the inhabitants of Rupert's Land——

That is very much the people of whom we are talking now ; we cannot be nearer the provinces of Alberta and Saskatchewan than when we are talking of Rupert's Land :

And the inhabitants of Rupert's Land of all classes and persuasions may rest assured that Her Majesty's government has no intention of interfering with or setting aside or allowing others to interfere with the religions, the rights or the franchises hitherto enjoyed or to which they may hereafter prove themselves equal.

In 1869 the Canadian Secretary of State wrote to Mr. McDougall in these words :

You will now be in a position to assure the residents of the Northwest Territories that all their civil and religious liberties will be sacredly respected, that the country will be governed as in the past by British law and according to the spirit of British justice.

What is British justice ? We find it in the law which was passed only two years ago in England. And that is the promise which was made to the people of Rupert's Land and the Northwest Territories.

Later on the Governor General of Canada issued a proclamation which was in these words :

By Her Majesty's authority I therefore assure you that on the union with Canada all your civil and religious rights and privileges will be respected, your properties secured to you, and that your country will be governed as in the past under British laws and in the spirit of British justice.

Need we go any further than that to ascertain the promises which were made to the Catholics of the Northwest Territories, that Territory where we now intend to create two provinces ? I am reading these promises, I am speaking here before the representatives of the people of this country. I am here supposed to be speaking before men of broadmindedness, of men who represent the good spirit of the people of this country, who represent those in the country who want to see it great and prosperous, and these men are generally the best. When I mention these different promises which were made, it seems to me that I am proving the position I said at the commencement I intended to take, that we should not stand so much by the words of the constitution as by the spirit of the men who wanted to create a great empire in this part of the American continent.

Promises were also made in the province of Manitoba. I shall read them and I shall show which political party was the first to curtail the rights and privileges of the people of that province, just as to-day the same party is going to do the same work for the Northwest Territories. Let us read some of the promises made in Manitoba. They call that a kind of compact which was made in 1870. There was at that time a legislative council in Manitoba and there was a strong rivalry between the French Canadians and the English Canadians. The fight was carried on for a long time. As long as the Manitoba government was under the leadership of the Conservatives right and justice were respected. The Liberal party wanted to get into power ; they could not do it on their policy, they had none, any more there than anywhere else. They thought they would gain something by raising racial or religious cries and they were ably seconded by Mr. Dalton McCarthy who sat in this parliament at that time and who had some reasons to work against the Con-

servative party. Of course it came to the ears of the minority, the French Canadians, and they commenced to be frightened. There was a question of abolishing their legislative council which was their safeguard. Upper houses, in the opinion of the Fathers of Confederation were established for the safeguarding of the provinces as well as of the Dominion parliament. What were the reasons given in order to obtain the consent of these men to the abolition of the legislative council ? Let us read some of them. The Premier of Manitoba at the time of which I am speaking, was Mr. Davis, who said :

It may be said that the council is a safeguard to the minority. He could assure the minority that their rights would never be trampled upon in this province.

Now there was a sacred promise made by the Prime Minister of the province of Manitoba (Mr. Davis).

There would always be sufficient English speaking members of the House who would insist on giving their French fellow subjects their rights to protect them.

Mr. Norquay, who became premier afterwards, said :

In 1870 when the Dominion government invested the people of this province with the responsibility of self-government they gave them a constitution which in their belief would meet the demands of those who had offered opposition to the inauguration of Canadian authority in this province. There was a certain class of people in this province, who in the belief that they would soon be in the minority required the protection of the Upper House. No doubt the time will come when the privilege claimed by those speaking the French language will be waived, but he for his part would never like to see them deprived of the privilege of speaking their language on the floor of the House and in the courts of justice ; and also of being able to make themselves acquainted with the laws of the country by reading them in their own language if they cannot read them otherwise.

I am proud to say that man was a Conservative, Mr. Norquay who for many years was premier of the province of Manitoba. Another gentleman spoke not a member but a journalist, Mr. Luxton. What did he say:

There are some questions of sentiment which lay close to the hearts of the French people, and he could assure them that the English speaking members would not deal with these ; and if the French representatives were sufficiently patriotic to support the measure before the House, they would recognize their generosity and not forget it.

There was another gentleman, Mr. Cornish. What did he say:

He believed the old settlers and the French would make common cause if their rights were infringed upon, and he would assure them that if the Canadian party——

He meant the English.

——became the great majority they want to keep these promises that were made in Manitoba.

What was the result of all that? Later on in 1888, the premier of Manitoba was Mr. Harrison. His majority was very small. He had to replace one of his ministers. He chose a man by the name of Burke. Burke was a French Canadian with an Irish name, and he presented himself in the county of St. François Xavier, of which the great majority is French Catholic. The Liberal party brought against him, Mr. Francis, an English Protestant. It was very hard to elect Mr. Francis under the circumstances. Mr. Burke raised the cry that it had been the policy of the Liberal party for years to deprive the Roman Catholics and the French speaking Canadians of their schools and the use of their own language. What was the result ? Mr. Francis wanted to resign. He thought it impossible to make a fight, but the Liberal party sent out Mr. Martin—Joe Martin—and he went there and made promises. What did he say ? In a powerful speech he denounced the statements of Burke and his friends as follows:

He told the meeting that it never had been the policy of the Liberals to interfere with the language or institutions of the French Catholic population, and he appealed to them to trust the Liberals and support their candidate.

That was the promise made by Mr. Martin, as a minister, in the name of the government of which he was a member.

Mr. S. J. JACKSON. No, he was not a minister at that time.

Mr. BERGERON. Was he not Solicitor General ?

Mr. S. J. JACKSON. No, Mr. Harrison was premier and Mr. Martin was a member of the opposition.

Mr. BERGERON. I thank my hon. friend for the correction. True Mr. Martin was in the opposition, but he became shortly after a minister of the government which was formed. Mr. Martin was in opposition, and speaking in the name of his party he promised the people that if there should be a change of government, all that had been said by a Mr. Burke and his friends about the Liberal party abolishing Catholic schools and the French language, if they came into power, was wrong, and that such had never been the policy of the Liberal party. The people believed Mr. Martin and elected Mr. Francis—a most extraordinary thing under the circumstances. That was the death of the Conservative party; and Mr. Greenway, the present member for Lisgar, was called upon to form an administration. What did Mr. Greenway do ? I have said that the province was divided into two parties. There was a kind of dead-lock, so that although the defeat of Mr. Burke had killed the Conservative party, the Liberal party was not any stronger. They

wanted the help of somebody and they were not proud in asking it. Mr. Greenway went over to interview the Archbishop of St. Boniface, Mgr. Taché. He could not see the archbishop, who was ill, but he saw his Grand Vicar (Mr. Allard), and what did Mr. Greenway then promise ? He said that he was in entire sympathy with the Archbishop and the Grand Vicar on the question of Catholic schools and the French language as well as the maintenance of French electoral divisions.

It would be the policy of this government to maintain them inviolate and he requested his Grace to mention some one who would be acceptable to him as a member of the new cabinet.

The Grand Vicar recommended Mr. Prendergast, a young French Canadian lawyer, as one who would be agreeable to his Grace, and Mr. Prendergast was taken into the government. The government therefore, with the moral support of Archbishop Taché and the ecclesiastical party, carried the election. What took place afterwards ? Everybody knows what happened in 1890 when in spite of all those pledges, in spite of the position taken by Archbishop Taché, in spite of the word of honour given by Mr. Greenway, the Liberal government abolished the separate schools and the use of the French language—that language which was the first civilized tongue ever heard on the shores of Red river. What unfortunately occurred later, we too well know. The war which had begun in 1890 lasted until 1896, and that famous clause 93, of the British North America Act of which so much has been heard during this debate, was then as now the bone of contention. In 1896, after having gone from court to court, the Conservative government then in power here, being convinced that they were doing for the best, and that they were bound to do as they did, after taking every precaution, every possible means of preventing the enforcement of drastic measures, after sending delegation after delegation to induce the Manitoba government to withdraw the measures it had adopted, brought down what we all know as the Remedial Bill. My impression is that all the debate we have had this last three or four months and all the trouble which has been created in this country, are due to the events of that time. The Conservative government in the Dominion, after having promised in the first place through Sir Mackenzie Bowell and then through Sir Charles Tupper, that they would remedy the grievances of the Manitoba minority, not relying on these promises, although these should have been sufficient, brought down the Remedial Bill. That Bill was accepted by the minority of the people of Manitoba. It was accepted by Archbishop Taché, who was the chief of that minority. We struggled for weeks and weeks and the record of the Conservative party on that occasion, is one of which we are proud and which deserves the eulogium of every well thinking Canadian, whether Protestant or Catholic. For standing as they did by the constitution of Canada, the Conservative party were entitled to the gratitude of the country. That is why I refrain from saying anything that would reflect upon my hon. friend the leader of the opposition for the position he has taken—it is because I am convinced that to-day in his heart he thinks he is right, as at that time the Conservative party thought it was right when it brought down the Remedial Bill. Those who know the history of which I have read a few extracts, those who knew that history were not surprised at the stand taken by the Conservative party.

Of course, extremists were not satisfied. But many of the people of Canada were not surprised to see the position taken by the Conservative party. And if my right hon. friend (Sir Wilfrid Laurier) had stood up here, as he did in the case of the Jesuits Estates Bill, and said : That is the law, and we must obey it—it might not have been so much to his personal advantage, but it would have added to his reputation as a statesman —his name would have been written in larger letters in the history of this country. He moved the six months'hoist, which means the killing of the Bill. But what did this mean in the opinion of extremists—and there are extremists on both sides of politics ? I will read by-and-by the remarks made by one of these Conservatives who became a great admirer of my right hon. friend, but who has withdrawn that admiration now. These people believe—honestly believe—that the French element in this country has been too strong. There are no such extremists in this House, but there are such in the country ; and I do not feel aggrieved at them if they are sincere. These people said : A grand victory ! Here is a French Canadian, a man of education, supposed to be the best speaker in the country, an honest man—and he is ready to put his foot on the hierarchy of Quebec ; he is ready to go with us and put an end of the domination of that hierarchy ; let us follow him. And they did follow him. And so the sluices were open to the flood of fanaticism, and a great many who would have stood by the Conservative party—would not have dared to go as far as the extremists went—felt free to rejoin the extremists in what they did. And so this country was given over to that element of the population. Many of these people in Ontario and in the Maritime provinces, thought that my right hon. friend was most tolerant. They thought he was above the hierarchy. They thought that he was against separate schools. But what were the facts ? He spoke yesterday of giving his 'categorical answer' to my hon. friend the leader of the opposition (Mr. R. L. Bor-

den). But no one could get a categorical answer from him in 1896. In Ontario he was for investigation, he wanted to find out the facts ; but one thing was sure, there would be no coercion. But in Quebec the Remedial Bill did not go far enough to suit him ; if it were true that the schools were Protestant schools, he would do more than the Conservatives could do to remedy the grievance of the Catholics ; only put him in power, and when he was in power everybody would be happy ; if he could not settle the question by conciliation, he would take strong means to provide by the constitution. And he came into power. And what has he done ? He has satisfied that element which led him to take the position he did on the Remedial Bill ; he has satisfied the strong Protestant element, which is honestly convinced that the future safety of this country lies in keeping the French Canadians and Catholics in a secondary place—or, as I say, there are people of that kind, and those the right hon. gentleman has pleased. And to-day—yes, this very moment, while I am speaking—the Catholic minority in Winnipeg are obliged to pay a double tax for education. In the first place, they must pay for the support of the separate schools ; and, as they cannot conscientiously send their children to those schools, they must pay for the education of their children elsewhere. And the Prime Minister knows that these people have had no redress of these grievances. He knows also that in the other parts of the province any rights that the Catholics enjoy with regard to education are not guaranteed by the law—but only exist by tolerance—I hope that the situation will not grow worse. The present provincial government is Conservative, and I hope that they will secure to the Catholics what they already have. But I am convinced that if a Liberal government got into power in that province, in twenty-four hours they would take away the privileges, such as they are, which the Roman Catholics enjoy. But there has come a day of reckoning. When the right hon. gentleman (Sir Wilfrid Laurier) was charged with the duty of establishing two provinces in the Northwest, he said—probably prompted by the Minister of Justice (Mr. Fitzpatrick)—we must try to redeem ourselves in those provinces ; our case has gone bad in Manitoba, and we cannot rehabilitate ourselves there. He had promised that he would send Mr. Mowat to Manitoba. 'Father of all the Roman Catholics of Ontario,' they used to call him in Quebec ; no one so good as Mr. Mowat. But he never went ; but they sent another gentleman there. Well, the Minister of Justice and the Prime Minister decided that they would do something for the people of the Northwest, and so they introduced this Bill with its original clause 16. Now, the original clause 16 was good. It expressed the first idea of these hon. gentlemen, their spontaneous sentiment. And yesterday the right hon. gentleman presented his amended clause. Now, let us not play upon words. We have been trying here for weeks to find out what is the difference between the first clause 16 and the second clause 16. And that is going to be a great game in the country. In Quebec they will say that the two clauses are the same thing. And that is the reason for my amendment—I want to make it clear that there will not be any mistake about it. And in Ontario they will say, as the Minister of Finance (Mr. Fielding) and the Minister of Customs (Mr. Paterson) and others have said, that there is really nothing in clause 16 as it is now amended. Why, the hon. member for Centre York not only said that, but wrote it. He told his friends : Don't be anxious ; don't lose sleep over this thing ; even ultra-Protestants need not fear; of course, we had to put something in the Bill about separate schools, but this means nothing at all, and in three or four years there will not be a single separate school in the Northwest Territories.

And what is the reason why the Prime Minister has proposed this amendment ? It seems to me that what he has done—to use a favourite expression of his own—is to give a stone for a loaf of bread. I know that what I am now saying will be used to help the Liberals in Ontario—they will say that the member for Beauharnois himself declared that there was nothing in this amended section. But we are here to speak the truth concerning matters that come before the House. If my right hon. friend (Sir Wilfrid Laurier) wanted to be candid—and I wish he would be—he would acknowledge that he was frightened into this act. I am convinced that had he stood up for clause 16 as it was originally drafted he would have carried it. But he got frightened. The hon. member for Brandon (Mr. Sifton) left the cabinet. But that was not what frightened the Prime Minister. My right hon. friend (Sir Wilfrid Laurier) is a lucky man ; he was born under a lucky star. I think it was a good thing for him to get rid of the hon. member for Brandon ; and when the opportunity of doing so occurred, he took advantage of it in a very clever way. I do not want him to smile at that, because he must not show approval of what I say. But when my hon. friend the Minister of Finance (Mr. Fielding) showed his teeth, that was a different thing. The Minister of Finance is spoken of as the coming Prime Minister when my right hon. friend (Sir Wilfrid Laurier) claims his right to rest. He is considered the strong man in the cabinet. There is no comparison between the one who left and the one who threatened to leave.

My hon. friend the Finance Minister—and I want the French Canadians to know that as soon as possible, in case he may

become premier of Canada—was the man who forced the right hon. gentleman to change his clause. The Minister of Finance had an easy job to gather about him a few men who are always ready to follow, and who said, unless that change is made we cannot support the government. I thought the Prime Minister had more force of character than that, but he gave way. I think I recollect hearing the right hon. gentleman say one day: It takes me some time to make up my mind, but when I have made up my mind I stick to it. He did not do it on that occasion, he gave in. It is a dangerous thing for the chief of a party to give in once. Well, the consequence was that we had clause 16, No. 2, that does not mean anything at all. Here I want to repeat what the hon. member for Labelle said yesterday in such eloquent language, that clause 16 is worse even than the amendment of the leader of the opposition, because the amendment of the leader of the opposition does not prevent Roman Catholics from having separate schools if they want them. But if this amended section 16 becomes law, it will for ever prevent the Roman Catholics from having denominational schools in the province of Alberta. First of all, as was said yesterday, it is only the minority who will have separate schools, the majority will have public schools. But what kind of schools have they got there? I take the honest word of the Minister of Finance, who said they were public schools everywhere, there are no separate schools anywhere. The word 'separate' reminds me of a story I heard of an old man in Ontario who was mad because the dual language had been adopted. He said, you can talk to me in French or you can talk to me in English, but I dare you to talk to me in that dual language. We have been speaking so much about separate schools that the word 'separate' has ceased to have any meaning. We should speak about denominational schools instead of separate schools. I ask the Minister of Finance: What is the meaning of the word 'separate' in the law which is now before the House? It will be separate schools for the Protestants if they are in a minority, and separate schools for the Catholics if they are in a minority. We mean something when we speak of denominational schools, but the word 'separate' conveys no meaning at all. It follows that in places where the Roman Catholics are in a majority they must have the public school, which is left in the hands of trustees, who themselves are responsible to the board of education, under the control of a minister who has arbitrary powers, and can dismiss the trustees and do anything he likes with that educational board.

Now the desire for denominational schools is no mere caprice. I want my hon. friend the Minister of Finance to understand that. I have a great deal of respect for the Minister of Finance, I really believe that he is sincere in what he does, there is no doubt about it. He has been a long time the premier of his province, and I will give him credit for the fact that the Catholics in the province of Nova Scotia, so far as I know, are perfectly satisfied, I have never heard a word of complaint. So I will give him credit of being a broadminded man, so far as the question of separate schools in Nova Scotia is concerned. Well, there is a strong sentiment at the bottom of this question of schools. I am convinced that it is a good sentiment, it is a most respectable sentiment, and I propose soon to read from the speeches of some English Protestants to show that it is more than a respectable sentiment, and we should grant them either to the French or the English in order to have peace and contentment. Now, Sir, who was it that first spoke about separate schools in this country? Who was it that first objected to all the children being educated together? I met a gentleman yesterday who said, Why should the children not all eat the same thing and all eat at the same table? I did not think the example was very convincing; but it meant this: Why should not the little Catholic boys go to the same school with the little Protestant boys? At first sight that looks very reasonable. But there is something behind all that, and those who are not au courant of that sentiment cannot understand it, because there is a great deal in it. But this idea of separation did not start with the Roman Catholics. I want to show, and I want it recorded on the 'Hansard,' who it was that first spoke about separating the children in the schools. My impression is that we would never have heard of separate schools if they had not been asked for by the Protestant population of Quebec. I am convinced that at the time of confederation there was no question of separate schools, nobody thought about them. It may have been a lack of prudence on the part of our people, because our people are very honest in their way of thinking, they do not apprehend that anybody will do them any harm, that is their character. But the English population of Quebec were more prudent, and I do not blame them. We must remember, Mr. Chairman, that this question of religion is deeply rooted in the heart of every man, and you cannot play with it. More than that, I want to tell my right hon. friend that you cannot compromise with that sentiment. You can compromise on everything else, you can compromise on the tariff; you can preach against protection for eigtheen years and then adopt it in part you can compromise upon a fast line by having steamers that take 36 days to cross the ocean; but you cannot compromise on questions of religion and conscience. Now what do I find here? Old members of this House will remember Mr. Holton, who sat in the old parliament of Canada. In the confederation debates I find he said this:

Another question which we had proposed to put had reference to the educational system of Lower Canada. The hon. gentleman (Sir John A. Macdonald) must be aware that this was a question on which there was a great deal of feeling in this section of the province amongst the English speaking or Protestant class of the population. Among that class there was no phase or feature of those threatened changes which excited so much alarm as this very question of education.

The hon. gentleman was then representing the county of Chateauguay, he was an English speaking Protestant in the province of Quebec. He goes on :

Well, the Minister of Finance had said that the government would bring down amendments to the school laws of Lower Canada, which they proposed enacting into law before a change of government should take place, and which would become a permanent settlement of that question. The question he desired to put was whether they intended to submit these amendments before they asked the House to pass finally upon the scheme of confederation, as it would undoubtedly exercise very considerable influence upon the discussion of the confederation scheme, and probably in the last resort from several members from Lower Canada.

Now, Mr. Chairman, do you not see how prudent he was ? There is an important example for many of us. Mr. Holton knew the French Canadians perfectly, he was elected by French Canadians, he sat for Chateauguay during all the time he sat in this parliament. He sat after confederation for a Montreal division in the local house. He knew the French Canadians well, he knew how broad they were, how generous they were, but in spite of that he insisted upon having a guarantee. He would not even take the word of the Minister of Finance when he said : We will see that a law is passed. But he insisted. He said : I want to see the law because it will have some effect upon the vote which is to be given. Later on he comes to the conclusion that :

The English Protestants of Lower Canada desire to know what is to be done in the matter of education before the final voice of the people of this country is pronounced on the question of confederation. To this statement Sir John Macdonald replied : There was a good deal of apprehension in Lower Canada, on the part of the minority there, as to the possible effects of confederation on their rights on the subject of education, and it was the intention of the government, if parliament approved the scheme of confederation, to lay before the House this session certain amendments to the school law to operate as a sort of guarantee against any infringement by the majority of the rights of the minority in this matter.

Which majority ? The Roman Catholic majority against the Protestant majority.

Before confederation is adopted the government would bring down a measure to amend the school law of Lower Canada protecting the rights of the minority.

Who were the men who were exacting a promise and more than a promise, exacting a law ? They were the representatives of the Protestant minority. They wanted to be sure there would be a law to protect the Protestant minority of Quebec before they consented to the scheme of confederation. But, Mr. Holton was not satisfied with the answer of Sir John Macdonald. He said :

I would like to ask the Minister of Finance——

The Minister of Finance was a Protestant too. Throughout the course of the session, Mr. Holton was very persistent and he came back to the question every day.

I would like to ask the hon. Minister of Finance as to the course to be pursued in reference to the Lower Canada School Law, which was promised to be introduced this session.

To this the like reply was made as before, but still Mr. Holton was not satisfied, and repeatedly thereafter he brought up the question again, indicating the intense interest felt in the situation by the Protestants of Lower Canada. Mr. Sanborn, another Protestant representative from Lower Canada, gave expression to the same feeling as follows :

The English, who were a fourth of the population, and who, by habit and tradition, had their own views of public policy, were left entirely without guarantee other than the good feelings and tolerant spirit of the French. Was this safe ?

Mr. Sanborn represented a county in Quebec, the population of which was half French Canadian, and still he wanted to be sure of having a law before he consented to the scheme of confederation. Sir John Rose, one of the most prominent representatives of the lower Canadian minority expressed his sense of the keen feeling that prevailed among his people in these terms :

It is a very grave and anxious question for us to consider, especially the minority in Lower Canada, how far our mutual rights and interests are respected and guarded.

Sir George Cartier answered Sir John Rose as follows :

It is the intention of the government that in that law there will be a provision that will secure the Protestant minority in Lower Canada such management and control over their schools as will satisfy them.

Mr. Chairman, in the presence of a vast majority who do not think as I do in regard to this question, I want to know if we are not justified in asking to-day that the rights and privileges which we have enjoyed and which men like Sir John Rose, Mr. Holton, Mr. Sanborn and others, representing the Protestant minority of Quebec, so sincerely and perseveringly demanded on behalf of the minority in Quebec, shall not be taken away from us. I see that Mr. Haultain also took part in this discussion. I wonder if that gentleman is the father

of the present premier of the Northwest Territories ?

Sir WILFRID LAURIER. He was.

Mr. BERGERON. Colonel Haultain from Upper Canada. I believe he was the father of our Mr. Haultain. This is what he says :

I am aware from personal intercourse with many gentlemen belonging to that section of the community that they do feel a very strong aversion to this scheme because, as they say, it will place them at the mercy of the French Canadians . . . and I must say, for my own part, that I do think the Protestant minority have some grounds for this fear. . . . I speak what I know when I say there is a feeling of distrust on the part of a great many of the Protestants of Lower Canada.

These men have all gone. If they were living to-day, would they not be here to thank the majority in the province of Quebec and to offer their most sincere congratulations to that majority for the way their people have been treated since 1867? We do not deserve any credit for that. If you were to meet a French Canadian in Quebec and say to him : I am glad to see that you are treating the Protestants well in your province, he would shrug his shoulders and he would think it quite natural that they should be so treated. I have seen parishes in the province of Quebec in which there was only one Protestant and he was the mayor. I have seen parishes where there were only a few Protestants and where the mayor was an English speaking Protestant. They would not come down to think of a thing of that sort.

Later on, some promises were made to the province of Manitoba besides those which I read a few moments ago. I desire to say only one word en passant because this is part of another discussion in respect to the rights and privileges that these people have in the list of rights. Article X was as follows :

Article 10. That the English and French languages be common in the legislature and courts, and all public documents and Acts of legislature be published in both languages.

This is another promise which has been broken. Now, I have spoken of the demands of our English friends in Quebec before confederation, and I have said that these are sentiments which we cannot question. This brings me to ask this question: Should religion be taught in the schools ? In 1896, it was rumoured that my right hon. friend the leader of the government—I do not want to say that it was true—was convinced of one thing and that was that it was better that there should be no religion in the schools. Of course, he would not say that in the province of Quebec, but it was said somewhere. I say that is a non-Catholic proposition. You cannot be a good Catholic and be an observer of your religion if you are of opinion that there should be no religion taught in the schools. I will go further than that. I am saying this to our English Protestant friends. The teaching of religion in the school is part of our religion and I am going to show it.

Mr. FITZPATRICK. That is theology.

Mr. BERGERON. No, I am not going as far as that. I will take the statement of His Lordship Bishop Taché, of Winnipeg, who spoke for the bishops, as he says, for the clergy and for the Roman Catholics and my hon. friend the Minister of Justice may contradict that if he sees fit to do so.

Mr. FITZPATRICK. Hear, hear.

Mr. BERGERON. Monseigneur Taché, and this is given under affidavit, says :

Roman Catholic schools have always formed an integral part of the work of the Roman Catholic church. That church has always considered the education of the children of Roman Catholic parents as coming peculiarly within its jurisdiction. The school, in the view of the Roman Catholics, is in a large measure, 'the children's church,' and wholly incomplete and largely abortive if religious exercises be excluded from it. The church has always insisted upon its children receiving their education in schools conducted under the supervision of the church, and upon their being trained in the doctrines and faith of the church.

In education the Roman Catholic Church attaches very great importance to the spiritual culture of the child, and regards all education unaccompanied by instruction in its religious aspects as possibly detrimental and not beneficial to children. With this regard the church requires that all teachers of children shall not only be members of church, but shall be thoroughly imbued with its principles and faith ; shall recognize its spiritual authority and conform to its directions. It also requires that such books be used in schools with regard to certain subjects as shall combine religious instruction with those subjects, and this applies peculiarly to all history and philosophy.

Later on Archbishop Taché says:

When in the foregoing paragraphs I speak of the faith or belief of the Roman Catholic Church I speak not only for myself and the church in its corporate capacity, but for its members.

That is the pronouncement of Archbishop Taché, and that is good sound Catholic doctrine. I come now to glance at the system of education in England, that great Protestant country; and surely we cannot expect the Protestants of Canada to be more Protestant than the Protestants of England. When people talk about the independence of Canada, I always think that after all the best thing for us here is to stick closely to the British connection, because in the mother land we find the principle of freedom of religion exemplified in its most perfect form. I do not say this as a reproach, but I do believe there is more fanaticism in Canada against Roman Catholics than there is in all England. That may be due to want of knowledge on the part of those

who are prejudiced against us, but nevertheless that appears to be the fact. The reason of it I do not know; but it has always been a conundrum to me why the people of England are broader in their views on these matters than are the people of Canada. The people of England have shown their liberality by the Education Act passed by the British parliament in 1902, and that Act was the outcome of a Royal Commission appointed in 1886 by our late lamented Majesty Queen Victoria. During this discussion we have often heard advocated, separate schools in which no religion at all would be taught; we have heard non-sectarian schools exalted; men sincere in that view say: Why not send Canadian children to school together and bring them up in friendly feeling and in harmony. I have already said that this is ideal, but it is not practical and whenever it has been attempted it has been a failure. As a Roman Catholic I declare that religion must be taught in the schools, and when I make that declaration I am in accord with a great body of the Protestant people. Later on I shall read the curriculum of an English Protestant college in my county, and which will show that they care a great deal about religion in Protestant schools. It would seem that some people are in favour of non-sectarian schools only when they want to entrap the Roman Catholics, and then they say: We will have no religion at all in the schools, we will educate all the children together. But, when these gentlemen have the management of their own schools for their own Protestant children there is not such a demand for non-sectarian schools, and their schools have as much religion taught in them as have the Roman Catholic schools. The Royal Commission appointed in England in 1886 looked over the educational systems of the different European countries and I quote from their report:

> In Prussia, in all the elementary schools the religious instruction is compulsory as well as the other branches of instruction. The religious instruction is given by the teacher, exceptionally by clergymen and by special teachers of religion.

That is the way I understand religious instruction; I do not understand it as being merely one-half hour's instruction at the close of the school day. The religious instruction which the right hon. gentleman is giving in the Northwest schools means that when a child has been in class for six or seven hours learning secular subjects, there is to be half an hour for religious teaching. What veneration can a child so taught have for religion. Will he be imbued with the idea that it is the most important of all things to learn and practice if he wants to be an honest man and a good citizen. What will he think of religion when it is relegated to one-half hour at the close of the day? That is giving the Catholics of the Territories a stone instead of a loaf of bread. Here we have the example of Protestant Prussia which I hope every man here will heed, and in the schools of which country religion has a first place. The report continues:

> Religious instruction is obligatory on all the scholars. For the religious instruction of the minority provisions are made partially at the expense of the state. For this purpose means are regularly granted by the government.

They are not afraid in Prussia to grant state aid to teach the children religion and morality.

> In Saxony religious instruction is given in the schools of the state; in Protestant schools by the master, in Catholic schools by priests.
>
> The religious instruction is obligatory on all the scholars but the minority of Catholic scholars would be taught by the local Catholic priests.

And yet that is in a Protestant country; a country more Protestant than Canada:

> In Wurtemburg the schools of the state give religious as well as secular instruction. One-third part of the school time is devoted to religious instruction.

It is not one-half hour at the close of the day, but one-third of the entire school time is given to the teaching of religion:

> The greatest part of the religious instruction is given by the teacher. The religious instruction is not obligatory on all the scholars. The minority may take part in the religious instruction of the majority, but if the parents prefer their children may not do so, they may be excused.
>
> In Bavaria in the schools of the state religious instruction forms part of the curriculum, and is given by the parish priest. The religious instruction is obligatory on all the scholars.

These quotations are from the report of a Royal Commission of England, and on that report I assume was founded the English Education Act of 1902, under which not only do they teach religion in the schools but they teach the religion that the parent desires, and no religion will be taught in the English schools unless it is approved of by the bishop of each denomination. And why is this? It is because the great principle is understood in England, that the state has not the right to teach the child in any way other than as the parent desires. That is the natural right of the parent. No law and no constitution can change that. It is the natural law that you have the right to educate your child as you desire. But, my right hon. friend is giving to the state the control of the education of the child, and if the Catholic minority in the Northwest Territories do not want to avail itself of the education which it provides, then they will have to pay out of their own pockets for private education, and at the same time pay taxes to support the state education of which they disapprove. Now, let me point out that in the town of Valley-

field in my county, there is an English Protestant college called the Gault Institute. In some remarks which I made in this House on a previous occasion I expressed the idea that there was not much religion taught in Protestant schools. I had in my mind more than anything else non-sectarian schools. I received immediately the curriculum of the Gault Institute and I found there was lots of religion in it and the religious features were marked so that I would not overlook them. In scripture I find in different classes the following items :

The Acts of the Apostles, the Gospel of St. Luke, Life and Words of Christ, Selections from the Life of Christ, Selections from the Life of Christ, Selections from the Life of Christ, Stories from the Life of Christ.

I do not believe the majority in this House are in favour of having no religious instruction in schools. I know very well the majority of the members from Quebec cannot be in favour of that. If you must have religion in the school, what kind of religion will you have ? What is taught in the Galt institute is very good religion, but is that the way that French Canadians would like their children to be taught in religion ? My right hon. friend knows very well they would not. More than that, my impression is that it is forbidden by the bishops to let the children go to schools where another religion is taught. Whether they are right or wrong that is the position, and for that reason I say that in the Northwest Territories by your amendment you are giving what ? Schools where no religion at all is taught, except that half-hour after school. That will be taught in the way I have read in the Protestant schools and in another way in the Roman Catholic schools, after the classes are over. My right hon. friend (Sir Wilfrid Laurier) knows very well that is not the spirit of Roman Catholic schools, but he will do as the member for Gloucester (Mr. Turgeon) did last night, make apologies, saying it is true we would like to give more, but we cannot do it. Is that the way that those who built up this country spoke ? Is that the way Cartier spoke when he wanted to get the Militia Bill passed and was threatened with defeat in consequence ? He introduced the Bill, he was defeated, he brought it on again and was returned and carried the Bill, and my right hon. friend could have done the same; he could have done better than Cartier, he could have carried his measure and he knows in his heart it is the only measure that could be carried that could do justice to that minority and not only that but to the Roman Catholic element in Canada. If my hon. friend has done that because he expects to have more peace in the future, if he has done it as the only thing by which he could have peace he has made an awful mistake. I do not know in the little of history I have read that injustice has ever lasted very long ; nothing but contentment will last. This amendment will never stand until there is redress to the amendment he has proposed. I wish to refer to an article from a paper which I read the other day. There are in Quebec some papers which reproduce extracts from papers in Ontario in order to inflame the population of our province. This practice was deprecated by some hon. gentlemen opposite last night and I join them in that. We have a press which does a great deal of harm by reproducing articles from papers in Ontario, articles which I do not defend but which I think very bad. A great many of these papers are not party papers, and of course no party can be held responsible for their actions. The papers I want to speak of are in the same line. I have seen it stated that Catholic teaching and separate schools had a tendency to diminish the loyalty of the people. Mr. Chairman, you know better than that. Anybody who has read the history of this country knows better than that. I will take the contrary proposition. I say give to Roman Catholics their schools, treat them as England has treated them after the cession and you will have the same results that we have seen in the past. In 1875 when the rebels in the United States wanted to take Canada, when they came here and wanted to take from England these immense possessions of which we are now so proud, who was the man of authority who stood by the British flag and who held the French Canadians by his suasion and influence ? It was Monseigneur Jean Olivier Briand, the Roman Catholic Archbishop of Quebec.

Mr. FITZPATRICK. Bishop of Quebec ?

Mr. BERGERON. Bishop or archbishop, he was the highest ecclesiastical authority at that time.

In 1812, when 300 or 400 Canadians, most of them French Canadians, defeated the Americans at Chateauguay, who was the bishop who issued a mandement to the people of this country to stand by the British flag and the British constitution if it was not Mgr. Joseph Octave Plessis, who was then the highest Roman Catholic authority in this country ?

In 1837 when some of our people rightly or wrongly—this is not the place to discuss that—though they should rise in rebellion against the British government, or rather against the Canadian government, who was the bishop—and he has been censured very often by some politicians in Quebec—who told the people to keep cool, to go back to the laws of the country, to go back to the flag that was protecting them and not to rebel against that flag, if he was not Jean Jacques Lartique, first bishop of Montreal ?

I am saying this to show that those who contend that separate schools or the Roman Catholic religion tend to take away the loyalty of the people are making an awful mistake. I shall now say something which is

personal and I take advantage of this opportunity to answer certain things which were said against me. In 1899, on October 13, a dinner was given at the city of St. John to my hon. friend from Toronto (Mr. Foster). It was the first time there was a question of sending a contingent to South Africa. I happened to be speaking at the time the news came and I said then, without consulting anybody—and I did not have to consult anybody, it was coming from the heart—that after the speech made by my right hon. friend (Sir Wilfrid Laurier) in England, when he had said openly that whenever there would be any danger to the British flag, let the bugle be sounded and help would come from the colonies, particularly from Canada, I said then, immediately, that it was the duty of Canadians to follow up what my right hon. friend had said and that I hoped Canadians would go to the defence of that flag which is our only guarantee in this country. In saying that I said I had no doubt the province of Quebec would do its duty. I was assailed by Liberals on all the hustings of Quebec, in the many election campaigns I have made since, because I had proposed that, saying I wanted to send Canadians to South Africa, and had offered 10,000 men of the province of Quebec ! I have answered that and I am doing it now in a way it can go everywhere. I mention this because if we are to believe the stories circulated in those newspapers to which I refer and our loyalty is to be affected by our religion, I should be most disloyal, I should be most disloyal, because I happen to be a pupil of the Jesuits !

In speaking about the ordinances of 1892 my hon. friend from Labelle (Mr. Bourassa) yesterday said, and said correctly, that the government were mistaken if they thought they would make the country believe that they could not go further than the ordinances of 1892. Of course my hon. friend, in a very delicate way, left it to be understood that if these ordinances were not disallowed that was the fault of the government then in power. But my right hon. friend accused the Conservative government of not having disallowed these ordinances in 1892. In making this argument he quoted from a report of the Privy Council of the 5th February, 1894, but he read only the conclusion of that report, which is as follows :

> The committee of the Privy Council regret that the change made in relation to education —and so on.

I need not read the whole of the conclusion as it is already in ' Hansard.' But he should have read more of the report. In reply to those who say that the Conservative government should have disallowed these ordinances but were afraid to do so, let me read this part of the report, and I think the Minister of Justice or the Solicitor General said something the other day very much on these lines. The contention of Sir John Thompson was that the ordinances passed by the legislature of the Northwest Territories did not affect the law passed by this government and consequently if this government had disallowed those ordinances, that would have been tantamount to their disallowing their own laws.

Mr. FITZPATRICK. When did I say that ?

Mr. BERGERON. I said I was not sure whether it was the Minister of Justice who said it, but some one on that side did so It is in any case very good law and the hon gentlemen need not be ashamed of it. I heard it said by some one on that side, and thought it must have been the Minister of Justice or the Solicitor General because it was a question of law. I take this from the report :

> While an appeal in the sense of the provisions of the British North America Act, referring to appeals to the Governor in Council, on matters affecting education in the province of Canada, is not established as regards the Territories, the committee of the Privy Council feel confident that any suggestion having Your Excellency's authority would be given all proper consideration by the assembly and by the council, and the committee consider themselves justified in entertaining this confidence, more especially as in the same enactment as that under which the Northwest assembly is organized and exercises its functions (the Northwest Territories Act, section 14) the following provision is made :

That was the reason given by the government at that time for not disallowing the law of 1892. As regards the other law of 1887 or 1888, what my hon. friend from Labelle (Mr. Bourassa) said is perfectly correct. If on a previous occasion I said the law of 1892 instead of 1888, that was a lapsus linguae. The disallowance of the second one would not have prevented the first one which was in operation already, from having full course.

My amendment does not differ very much from that of my hon. friend from Labelle (Mr. Bourassa) except that to my mind it is more clear. There would be no danger of having any litigation over it, and those who are in favour of granting denominational schools or of rendering justice to the Catholic minority, those who believe that the promises made long ago to the French Canadians and Roman Catholics both in Manitoba and the Northwest Territories should in honour be kept, should stand by this amendment, which gives not only to the minority in the Northwest Territories the schools they desire——

Mr. FITZPATRICK. I presume I may now put some questions to my hon. friend, in conformity with his suggestion that any questions to be put to him should be reserved until he had finished his address. I would like to put one or two. The first question is whether this amendment is in-

tended in effect to restore the original clause 16 ?

Mr. BERGERON. No, my amendment reads very well.

Mr. FITZPATRICK. I do not think it does, as I shall point out. In what respect does it differ from the original clause 16 ?

Mr. BERGERON. My hon. friend has not been able in the last four weeks to show the difference between clause 16, No. 1 and clause 16, No. 2, which is evidence that the language of these clauses is not clear. That of mine, I submit, is clear. Nobody can make a mistake in reading it.

Mr. FITZPATRICK. That is a question open to doubt. Is my hon. friend able to explain the difference which exists between his amendment and the original clause 16, if there is any difference ?

Mr. BERGERON. I do not want to be discourteous, my answer is there. I contend that my amendment gives the minority what I think they should have. It may be much like clause 16, No. 1, but it is not the same thing. I contend that the language of my amendment is clear, that it can only mean one thing. I voted for clause 16, No. 1, and if that had been accepted, I would not have moved this amendment.

Mr. FITZPATRICK. Therefore my hon. friend moves his amendment because the original clause 16 would, in his judgment, give to the minority those rights and privileges to which they are entitled, and that the second clause 16 takes them away, or practically does not secure them.

Mr. BERGERON. That is not all. I believe clause 16, No. 1 would have given to the minority the school laws of 1875, or the principle of these laws, because, as I said before, they embody the principle of separate schools, and would give them separate schools in spite of the ordinances which have been passed since. There might have been a case for contention before the courts, but at any rate, I think they would have then secured their rights. Clause 16, No. 2, to my mind does away with the law of 1875, and does away with the principle of Roman Catholic schools, and only gives to the minority the schools granted by chapters 29, 30 and 31 of the ordinance of 1901, which was very much like the ordinances of 1892 and 1898. My amendment goes further than that, and avoids all doubt and all chance of litigation, because it says as clearly as it can be said in the English language that the Catholics of that country shall have Catholic schools when they want them, and the Protestant shall have Protestant schools when they want them.

Mr. FITZPATRICK. So that in effect my hon. friend's opinion is that the original clause would have granted more, and that if the original clause had remained he would not have moved this amendment?

Mr. BERGERON. As a matter of fact that is true.

Mr. FITZPATRICK. I will put one more question to my hon. friend. I would like him to tell me what, in his opinion, is the meaning of these words used by the hon. member for Jacques Cartier (Mr. Monk) when he was discussing the clause 16, No. 2, as they will be found on page 3213 of 'Hansard :'

> In this connection let me say that we have before us three drafts of proposed legislation in the very able communication made by Mr. Haultain to the government, which has been brought down to this House. There is a draft which, at first sight, seemed to me to go even farther than did the first educational clause of my right hon. friend, and farther than this one, and that clause is to be found in Mr. Haultain's draft, at page 14 of the papers produced before the Northwest Territories assembly.

Further on he says:

> I think they might urge that at any rate. As to the first educational clause that was brought down I must say that it did not seem to me to have any other effect than to create in the public mind an extremely erroneous impression as to what we were doing for the new provinces. Any man who takes the trouble to inquire will be able to ascertain that by the clause relating to education which was first submitted to the attention of the House we were not breaking in upon the educational system of the Northwest Territories ; not introducing a separate school system exactly as it existed in the province of Quebec, but that we were following the established order of things in the Northwest Territories, and it is probably due to the haste with which that clause was drawn that all the agitation that subsequently arose is to be attributed, because in reality what did that clause give to the Northwest Territories ? It gave separate schools.

Then further on in the same speech the hon. member for Jacques Cartier goes on, and I wish to draw the attention of my hon. friend from Beauharnois to what he says:

> They are not denominational schools ; certainly not. So, I do not see in the last enactment——

That is clause 16, No. 2.

> ——that there is any concession—very far from it. I think the last amendment perhaps goes a little farther than the original enactment which caused so much excitement, because it defines more clearly what the privileges of the separate schools are. They were not defined at all in the original enactment. It defines them by reference to the chapters of the Northwest Ordinances where they are fully explained, so that it defines more clearly these privileges, and it may be argued that it secures to the separate schools the right of religious instruction. I am not just sure under the first enactment that it would have been possible to say in the Northwest Territories : You have the right to separate schools, that is granted, you will have

them but you have no right even to the half-hour of religious instruction because it is not laid down in the bond. It is not in the Dominion enactment, and we will withdraw that right from you. This enactment goes a little farther, because it refers to the ordinance which secures the right of religious instruction.

I would like my hon. friend to say if these words in any way affect his opinion with respect to the relative merits of the two sections?

Mr. BERGERON. I thought I had given my answer before. I do not suppose he wants me to say that I differ in opinion from my hon. friend from Jacques Cartier? I have given my opinion, I have said what I thought. If this clause 16, No. 1 had remained I would have voted for it, in fact I did vote for it, because it went far enough. The clause 16, No. 2, in my humble opinion, does not give anything to the minority, and I propose to amend it so that, to my mind at least, it shall say more clearly what it means. You cannot make any mistake if you take my amendment.

Mr. FITZPATRICK. We will have occasion to see that in a moment. I understand my hon. friend thinks that this second clause does not go so far as the first, that it falls far short of the first, and he wants to revert to 16, No. 2, by his amendment.

Mr. BERGERON. No, I go further than clause No. 1.

Mr. FITZPATRICK. The hon. gentleman's amendment reads this way:

Section 93 of the British North America Act, 1867, shall apply to the said province as if at the date fixed for the coming into force of this Act, the territory included in the said province already a province, the word 'union' in the said section meaning the said date.

Does my hon. friend think he conveys very much meaning in these words 'the word union in the said section meaning the said date?' If he had said the 'union at the said date' it would have been better.

The legislature shall have the right to pass laws with reference to education, but it shall always guarantee (a) the existence of separate schools——

How will the legislature proceed to do it?

Mr. BERGERON. I have not the advantage of being assisted, as the hon. gentleman is, by a lot of legal employees behind him. I concede immediately that my language is not perhaps what it should be, but surely he will give me the credit to admit that my meaning is there anyway.

Mr. FITZPATRICK. It may be there, but I cannot see it. He says it is much clearer than the first clause.

Mr. BERGERON. To my mind it is. You can play on words in the second clause, but you cannot play on the meaning.

Mr. FITZPATRICK. Unfortunately for the hon. gentleman, in legislation, words are intended to convey a meaning; we can only gather the meaning from the words.

Mr. BERGERON. If my amendment carries, we will go to the Department of Justice and with the help of my hon. friend we will make a clause that will be well worded.

Mr. FITZPATRICK. The material is not there for the purpose. His amendment goes on:

(a) The existence of separate schools and their enjoyment by the minority, Protestant or Catholic, who may claim them; (b) the effective control of said schools in matters of teaching by the said minority; (c) the full liberty for the majority in any school section to have such school as it may desire.

Mr. BERGERON. Clause 16, No. 2 prevents them from having such schools as they may desire.

Mr. FITZPATRICK. What provision does the hon. gentleman make for the collection of rates and assessments for the support of his schools by his clause? Are there to be any rates paid for the maintenance of these schools?

Mr. BERGERON. We understand that.

Mr. FITZPATRICK. Where?

Mr. BERGERON. The whole system of schools exists already in the Northwest Territories. We do not want to take away from the minority any of the privileges they enjoy to-day. I say in my amendment:

The equitable and proportionate distribution between the majority and the minority of all moneys appropriated for education.

You cannot make it clearer than that.

Mr. FITZPATRICK. My hon. friend does not realize——.

Mr. BERGERON. My hon. friend has nothing to say in defence of his own amendment and therefore he has to talk about mine.

Mr. FITZPATRICK. My hon. friend does not realize that this specifies that the school law——

Mr. BERGERON. I did not expect such a success as that which I have achieved with my amendment.

Mr. FITZPATRICK. I do not think my hon. friend did expect success. I do not think he had any conception of what was involved in his amendment. My hon. friend does not realize that this specifies that the laws providing for the collection of these rates are to be superseded by this amendment.

Mr. BERGERON. I think I am qualified to be Minister of Justice later on if I can frame a law which cannot be understood by my hon. friend.

Mr. FITZPATRICK. I do not think my hon. friend need consider it a great feat to

make a law I do not understand. There are dozens and dozens of people in this country who could do that—even men who are not lawyers.

Mr. BERGERON. My hon. friend has not been able to explain yet the difference between section 16, No. 1 and section 16, No. 2.

Mr. FITZPATRICK. I may not have been able to explain it, but I have tried to do it.

Mr. BERGERON. Yes, the hon. gentleman tried to do it. He came down here with a big typewritten document, he stood within the four corners of it and when he was asked some questions he would not say a word.

Mr. FITZPATRICK. I think after what my hon. friend has said that I might perhaps bring down forty typewritten documents and explain them and then my hon. friend would not understand what they meant. Now let us deal with this. I had my quarter of an hour; let the hon. gentleman take his.

Mr. BERGERON. I have no objection to giving my hon. friend all he wants, if the government are satisfied to spend a week or ten days more on this question.

Mr. FITZPATRICK. I have only been speaking for ten minutes and I am only going to keep my hon. friend a minute or two more on the gridiron.

Mr. BERGERON. I am not on the gridiron at all.

Mr. FITZPATRICK. I am quite sure my hon. friend likes it. He shows that he does. Would my hon. friend be good enough to tell me what he means by the words 'school section' in subsection (c) ? He says that :

> The legislature shall have the right to pass laws with reference to education, but it shall always guarantee (c) the full liberty for the majority in any school section to have such school as it may desire.

What is the meaning of that ?

Mr. BERGERON. That means, under the amendment of my hon. friend and by the acceptance of the ordinance of 1901, that wherever the majority is Roman Catholic they will have public schools. They will not have their own schools.

Mr. FITZPATRICK. My hon. friend says :

> The full liberty for the majority in any school section.

Is there any such term as 'school section' in the Northwest Territories respecting education ? What is the meaning of 'school section'? The words 'school section' have a well defined and well understood meaning. In the Dominion Lands Act we have in reference to school sections and townships, but my hon. friend's amendment would be applicable to school laws and not school districts.

Mr. FITZPATRICK.

Mr. BERGERON. If my hon. friend will vote for that I will change those words.

Mr. FITZPATRICK. Now, let us get on. I will only be another minute.

Mr. BERGERON. Oh, go on.

Mr. FITZPATRICK. My hon. friend provides for the——

> Equitable and proportionate distribution between the majority and the minority of all moneys appropriated for education.

What provision does he make for the Dominion lands grant ?

Mr. BERGERON. I understand that the government are going to have some very clever men as premiers there and I am sure that they will find a way of distributing the moneys appropriated for education. They will gather the money for education, and what I desire is that they shall distribute that money to the majority and the minority according to their needs for the purposes of education.

Mr. FITZPATRICK. So that my hon. friend is going to leave it to the clever men of these provinces to deal with this question as they chose and as they think best.

Mr. BERGERON. My hon. friend is not serious. He knows very well what it means.

Mr. FITZPATRICK. If that is my hon. friend's amendment it gives to the Roman Catholic minority of the Northwest Territories absolutely nothing at all.

Mr. BERGERON. If that were true my hon. friend and all his friends behind him would vote for it.

Mr. R. L. BORDEN. I do not think my hon. friend the Minister of Justice is quite fair to my hon. friend from Beauharnois (Mr. Bergeron). Whether he be literally exact in the terms of the amendment which he has proposed or not, at least this may be said in regard to it, that not only in dozens of Bills that are brought down every session but in this very Bill which is now being discussed by this committee there has been infinitely greater need for amendment than any that can be found in this amendment. Take clause 15, for instance: we have had four versions of it already. We have had two versions of clause 16. We have had amendments without number. We have found it necessary to make amendments to a great many measures brought down by the administration, an administration that has a Department of Justice, that has a Minister of Justice, a Deputy Minister of Justice, and in the preparation of this particular measure the hon. minister has had the assistance not only of the Deputy Minister of Justice but of two or three gentlemen, for example, Mr. Beck, who have been especially brought into the Department of Justice to aid in the drafting of this clause. To answer my hon. friend as the Minister of Justice has ans-

wered him by some more or less minute criticism of phrases and words when the idea is infinitely plain, an unworthy answer, an answer which should not have been made by a government that is so susceptible to criticism in this regard.

Mr. FITZPATRICK. I do not admit the criticism of my hon. friend. I say that the Bill as brought down originally gave evidence of the best draftsmanship that could be produced in connection with it and that the amendments which were made were not made for the purpose of differently expressing the original intention but for the expression of a different intention.

Mr. R. L. BORDEN. Does my hon. friend deny that in clause 15 there were words that were absolutely meaningless ?

Mr. FITZPATRICK. Nothing of the sort.

Mr. R. L. BORDEN. I say there were.

Mr. FITZPATRICK. Nothing of the sort. I say the contrary. I say that the original clause which was brought down showed better draftsmanship than does the clause in the form in which it is now.

Mr. R. L. BORDEN. I deny that.

Mr. FITZPATRICK. If my hon. friend the leader of the opposition understands so thoroughly what my hon. friend from Beauharnois has in mind in proposing this amendment, he had better explain it.

Mr. R. L. BORDEN. It is not my province to explain it. I think there is a very well defined idea and the only suggestion which the hon. minister has made is a quibble—I do not use the word in an offensive sense, but I cannot think of any other at the moment to express my meaning—as to certain forms and expressions. He says that the word 'section' is not found in the legislation of the Northwest Territories. Then the hon. Minister of Justice with a triumphant wave of his hand asks my hon. friend what he means. The answer of my hon. friend is that if the word 'district' is a better word the word 'district' can be used. But, I say that there were words in clause 15 which I have just referred to which had no meaning. We have had legislation submitted by the government to this House on many occasions which required extensive amendment. This is one of the many illustrations that I can call to mind. We had legislation of that kind brought down by the government last session. Take for instance the Railway Act of two years ago ; there were over 1,000 amendments made to that Bill in this House, notwithstanding the fact that the government paid $2,500, I think it was—

Mr. STOCKTON. Double that.

Mr. R. L. BORDEN. More than that, perhaps to special counsel in New Brunswick for the purpose of drafting it. And yet the Minister of Justice was extremely critical of this amendment, the plain intent of which is evident, even if it is not couched in every respect in the exact words in which it would be couched if my hon. friend from Beauharnois (Mr. Bergeron) had behind him a Department of Justice, with his deputy minister and his half dozen or more of assistants, and with four or five lawyers from outside, to help him in choosing the exact words that would best express the meaning he intended. The Minister of Justice asks what the intention of the amendment is ? I have not read it carefully until this moment, but I think I can see in it a very plain meaning. It seems designed to express, in somewhat plainer terms—outside of any verbal inaccuracies, such as those to which the minister called attention—the idea that the Prime Minister at least had in his mind when he first introduced this Bill with its clause 16. I am not responsible for my hon. friend's (Mr. Bergeron's) amendment ; I did not see it or know of it, or of his intention to move it, until I saw it on the order paper. All that I desire to say at this moment is that I do not think that under the circumstances it is a fair way to treat an amendment put forward such as this, or a fair way to answer the hon. gentleman who presented it in a very moderate and able speech, to say that it contains some inaccuracies of drafting, such as have occurred even in legislation brought down by the hon. Minister of Justice himself. I do not say that with the idea of taunting the Minister of Justice (Mr. Fitzpatrick). I have always recognized his ability and spoken of it. I regard him as an able lawyer, and a man who fills his position well. And he knows, as every one knows, who has had anything to do with the drafting of statutes or other difficult documents, that it is impossible for a document of that kind to be at once framed in a way which will be above criticism as to its verbiage. The hon. gentleman will remember that, after this House had spent a great deal of time—too much time, according to hon. gentlemen opposite—on the Transcontinental Railway Bill two years ago, it was found necessary to bring in, during the following session, a Bill to correct an error so obvious that every member of this House should be ashamed that it escaped his attention in the first place, an error so obvious that when our eyes were directed to it in that following session, every one of us wondered how it could have escaped his notice in the first place. Under these circumstances, I think my hon. friend from Beauharnois is entitled to more respectful answer than that given by the Minister of Justice (Mr. Fitzpatrick).

Mr. BERGERON. If it is only to the wording of this amendment that the hon. gentleman's (Mr. Fitzpatrick's) criticism is directed, I am quite willing that my amendment should be treated as the Prime Minis-

ter (Sir Wilfrid Laurier) expressed himself as willing that this Bill should be treated. This is what the right hon. gentleman said :

I do not say that our drafting is absolutely unimpeachable.

I do not say that my drafting is absolutely unimpeachable.

I have stated our view and aim, and to this aim and purpose we propose to adhere——

I say the same thing about my amendment.

—but I do not intend to be committed absolutely to the drafting of clause No. 2.

And I do not intend to be committed absolutely to the drafting of this amendment.

If it be insufficient, we are willing to consider any reasonable amendment, provided it be on the line I have stated and on no other.

And, as to my amendment, I am willing to be bound by those very words. My hon. friend the Minister of Justice (Mr. Fitzpatrick) indulges in some persiflage at my expense. I can stand a great deal of that kind of thing—I can stand even more than that. But what I want—and this is the object of my amendment—is that there shall be no misunderstanding as to what we are voting for. If he can phrase it in any better way, I will be happy to accept his suggestions. I am sincere in this matter. I am not doing this to embarrass anybody. My object is to render justice to the minority in the Northwest. Now, the hon. gentleman has put a good many questions to me ; perhaps he will be good enough to answer two questions of mine. In the first place, what is the difference between clause 16 in the original Bill and clause 16 as amended ? And, in the second place, why did he (Mr. Fitzpatrick) make the change—for what consideration ?

Mr. FITZPATRICK. I do not intend to enter into a controversy with the leader of the opposition (Mr. R. L. Borden) as to the relative merits of drafting. I can only say that the drafting that I brought down was good—if I do say it myself, it was pretty good. I know some people who have said that it was very good——

Mr. R. L. BORDEN. I hope the minister——

Some hon. MEMBERS. Order.

Mr. CAMPBELL. Sit down.

Mr. R. L. BORDEN. I will sit down in a moment. I trust the Minister of Justice did not understand me as casting any aspersion upon the drafting of the Bill as a whole. I pointed to one clause which seemed to contain an obvious error, as the words, apparently, had no meaning. And this I pointed to as a fair answer to his comments upon the amendment of my hon. friend from Beauharnois (Mr. Bergeron).

Mr. BERGERON.

Mr. FITZPATRICK. If I were to attempt any criticism of myself in these matters, I would not criticise my drafting, but my good nature. I am tempted, through my good nature, to make changes, even when I think they are not at all necessary. However, this is a lesson to me by which I may profit in the future. The question is as to the merits of the amendment—not as to whether it is well drafted or not. The Prime Minister said, when he introduced the Bill, that he was not only willing, but anxious, that any improvement possible should be suggested. And here is the answer, on the part of my hon. friend (Mr. Bergeron), in the shape of an amendment to this clause 16, No. 2. By way of meeting the suggestion of the Prime Minister that suggestions for improvement will be welcome, the hon. gentleman (Mr. Bergeron) gives us this amendment, which, I say, has no meaning.

Mr. BERGERON. That is the hon. gentleman's (Mr. Fitzpatrick's) opinion.

Mr. FITZPATRICK. That is my opinion. And I would like the hon. gentleman (Mr. Bergeron) to name any lawyer on the other side of the House who will say that it has any meaning. He told us that his reason for introducing this amendment was to make the meaning of section 16, No. 1, clear. In what respect does it make it clear ? Does it make it clear by declaring merely that this section is to guarantee full liberty to the majority in a school section ? Does it make it clearer, so far as it omits any reference whatever to the Dominion land fund or securing any portion of that fund to the minority ? Does it make it clearer so far as it omits all reference to the assessment ? Does it make it clearer so far as it omits to make any provision for the maintenance of these separate schools that the hon. gentleman speaks about ?

Mr. BERGERON. Does the hon. gentleman (Mr. Fitzpatrick) want an answer to that ?

Mr. FITZPATRICK. Yes.

Mr. BERGERON. If the hon. gentleman is sincere, he knows what I mean by this clause ; he knows that I want to secure to the minority all that they are entitled to. If the phraseology of my amendment is not correct, let the hon. gentleman improve it and I will be glad.

Mr. FITZPATRICK. It is not necessary that I should improve it. We had the amendment of the hon. member for Labelle (Mr. Bourassa), in whose amendment there was some meaning.

Mr. BERGERON. And I voted for it, and the hon. gentleman (Mr. Fitzpatrick) voted against it.

Mr. FITZPATRICK. Then why weary the House with a repetition of the same thing ? If this amendment means anything,

it is the same thing as the amendment of the hon. member for Labelle.

Mr. BERGERON. But not the same wording.

Mr. FITZPATRICK. I congratulate the hon. member for Labelle (Mr. Bourassa) that it is not the same wording.

Mr. BERGERON. I mean the same thing that the hon. member for Labelle (Mr. Bourassa) meant. I want the minority to get their rights. My hon. friend (Mr. Fitzpatrick) does not want that, and he is making this fuss because he wants to clear his skirts. But he can't do it.

Mr. FITZPATRICK. I am not trying to clear my skirts. I take the responsibility for clause 16 as it stands; and I took the responsibility of voting against the amendment of the hon. member for Labelle (Mr. Bourassa). I did not walk out into the passage to avoid a vote.

Mr. BERGERON. Who did ? I didn't.

Mr. FITZPATRICK. This amendment is one thing or the other. If it is intended to do what the amendment of the hon. member for Labelle was intended to do, it is a vain repetition of the same thing. But I never can understand what the hon. gentleman (Mr. Bergeron) means to do. I gather that this is intended to accomplish the object that the hon. member for Labelle (Mr. Bourassa) had in moving his amendment. If that be the case why waste the time of this House moving the same amendment twice over ?

Mr. MONK. Will my hon. friend allow me a question. I see in this amendment :

(c) the full liberty for the majority in any school section to have such school as it may desire.

I presume 'school section' would be 'school district.'

Mr. FITZPATRICK. There is not much similitude between 'school district' and 'school section.'

Mr. MONK. But this raises the point which was discussed last night and which materially differs from the law which the government has placed before us. It raises the point of the protection of the majority when the majority happens to be the Catholic minority of the province in a school district where they have organized a public school. I think that appears very clearly by this subsection (c). Has the Minister of Justice any observation to make on this part of the amendment offered by my hon. friend (Mr. Bergeron) ; the protection, not of a minority in a separate school district, but of the majority when that majority happens to be Catholic and they have organized a public school ?

Mr. FITZPATRICK. That is something I had in mind before to-day. That is something provided for in terms by the original clause 16 which my hon. friend (Mr. Monk) said was not an improvement on clause 16, No. 2, when he told us that clause 16, No. 2, which made no provision for that, was better than clause 16, No. 1. Let me explain this over again. In effect the result of the legislation we are now going to adopt guarantees to the Roman Catholic minority in those school districts where they are a minority with respect to the district, their separate school system. But it does not guarantee to the Roman Catholic minority when they happen to be the majority in a school district any privileges whatever at the present time. That was provided for by the first clause 16, which my hon. friend (Mr. Monk) condemned ; that was the time to speak.

Mr. MONK. What does the Minister of Justice say as to that part of this amendment which endeavours to secure protection in the case indicated ?

Mr. FITZPATRICK. If that is intended let hon. gentlemen say so.

Mr. MONK. Will the Minister of Justice support it if it says so in plain language ?

Mr. FITZPATRICK. No, I will not support it, but I will not say that the second clause 16 is better than the first.

Mr. MONK. I will explain that when the time comes.

Mr. FITZPATRICK. I hope you will.

Mr. BERGERON. When the Minister of Justice said that he would vote for it and not go out of the Chamber, I want to know if he insinuated that I went out of the Chamber ?

Mr. FITZPATRICK. I did not make any insinuation; I said it right out as I always do.

Mr. BERGERON. It might be inferred that the Minister of Justice insinuated that I left the Chamber.

Mr. FITZPATRICK. I am not responsible for the meaning the hon. gentleman takes from my words.

Mr. BERGERON. If the Minister of Justice refers to me I want to tell him that I stayed right here in the Chamber and never left my place. I never shirk a vote, and he knows it.

Mr. BOURASSA. I rise simply to explain why I shall support this amendment. I agree with the Minister of Justice that the wording of the amendment is not satisfactory. I believe that the amendment I moved last night covers all the questions of principle which the member for Beauharnois seeks to cover, and especially the point raised by the member for Jacques Cartier (Mr. Monk). As was clearly stated by the Minister of Justice on the 8th of June, and has

been repeated by him just now, the law of 1875 provided for the rights of the minority throughout the whole province. That is, whether the minority was represented by a local majority or by a local minority. That is the main reason why I was in favour of clause 16, No. 1, and why I am opposed to clause 16, No. 2. The amendment which I moved last night covered that point fully and my only reason for voting for this motion—which if it were adopted I would ask the government to have framed in such way as to give full effect to the intention of the mover—my reason for voting for this motion is that I am not going to be recorded in this House as voting against a motion which affirms the principle of separate schools, and in favour of the amendment moved by the government which in the very words of the Minister of Justice abolishes separate schools for nine-tenths of the Catholic population of the Northwest Territories.

Mr. LEONARD. (Translation.) Mr. Chairman, before voting upon this amendment, I would like to ask the hon. Solicitor General (Mr. Lemieux) if I understood him right last night, when he said that the amendment moved by the hon. premier was a compromise ? Has the hon. Solicitor General said last night that the amendment moved by the premier was giving less to the Catholics in the Northwest than they had the right to ask under the law of 1875.

Mr. LEMIEUX. (Translation). My hon. friend is a very able lawyer, with many years' standing. He has my speech before him, he may read it, and see what it means.

Mr. LEONARD. (Translation.) The hon. minister answers my question as he generally answers on the hustings of the province of Quebec in presence of a French audience, when there are no shorthand writers to take down his words. He answers my question in the same way he generally answers all the questions by raising the race cry, and I charge him here openly of having been one of the most vehement in that work in every general election since 1896, and even in by-elections. I remember that in the election of 1902 at Saint Martin, in the county of Laval, the hon. Solicitor General instead of discussing the political questions of the day, did nothing else but to ask the people to vote for my opponent because he was a candidate of Hon. Sir Wilfrid Laurier, the great French Canadian. Notwithstanding his appeals to race prejudices, I was elected at that time. It was not my intention, Mr. Chairman, to pass any remarks upon this if I had not seen that the hon. minister was last night unable to answer a single word to the excellent and courageous speech of the hon. member for Labelle (Mr. Bourassa), whom I congratulate for having had the courage to free himself of the party ties upon this national question, and speak his mind openly. I regret to see the Liberal members of the province of Quebec, and I see some laughing presently, I regret very much, I repeat, to see them voting against this amendment without knowing whether the Catholic minority is sacrified or not.

I would not at all be surprised to learn that the hon. premier and the hon. Minister of Justice have presently before them coming from the western provinces, many letters asking the government to grant to the Catholic minority of these provinces what this minority is deprived of by this amendment. Before going any further, I will be allowed to say a few words upon the nature of this Bill, in order to clear off certain misunderstandings and false impressions which becloud the question in the minds of some sincere people and divert the discussion. The ministerial organs in the province of Quebec made a great fuss about the approval more or less formal of clause 16 as amended, given by His Lordship Bishop Legal of St. Albert. A journalist, whose elegant pen is easily recognized, told his readers that this prelate was the bishop of the Territories in which are included the new provinces and that they were entirely under his jurisdiction. That is not so. The Territories are divided into four dioceses. Regina, the capital, and the greatest part of Assiniboia are in the diocese of St. Boniface. Thus, the approval of Bishop Legal, even if it was true, would lose uuch of its weight. Archbishop Langevin and his two other suffragans, condemned and disapproved of this clause 16, and with them the question is clear and there is no doubt possible. Till we have the exact words of the statement given by Bishop Legal, it would be impossible to say how far and how much it differs from the well known statements of his predecessor, the revered Bishop Grandin of St. Albert, who has strongly condemned the ordinances 22 and 23 (of 1892 and 1893) which are the basis of the school system it is intended to perpetuate by this famous clause 16.

The statement of the government upon the meaning and the bearing of the two clauses 16, has caused an agreeable surprise. We were not accustomed to so much frankness. The discussion will thus be easier, and the ministerial papers will be no more able to continue their campaign of falsehood. In this discussion in which we had to answer to the windy and empty sentences of our opponents, their last cry was : ' Let the provinces be free ; give them their exclusive rights of legislation in matters of education.' But I will make this distinction : You may about educational matters maintain or abolish the minority rights, you may respect or violate the natural rights of the parents and of the conscience, but these things are not properly matters of education, and when the constitution says that

a province will have the exclusive right of making laws pertaining to education, but that these laws will respect the rights of the parents and the liberty of conscience, it does not in any way prevent the province to legislate in this matter; it only says this: If you wish to exercise freely your legislative power, you should not violate the natural rights of the parents, you should not hurt the religious persuasions of the people. Is that a limitation of provincial rights? Evidently no. I think it ought to be sufficient to call attention upon the distinction I have already made, to put an end to the recriminations of those who sincerely believe that provincial rights are attacked by clause 16. We must respect their sincerity, but not their astonishing thoughtlessness. I will not say more for the present.

None of those who have spoken on this school question to my mind, Mr. Chairman, sufficiently called our attention to the extracts from the minutes of the council of Assiniboia, published in a blue book in 1894, though these extracts, which could have been utilized before 1894, have to my mind a considerable interest and bearing upon the Northwest school question.

The Northwest territory was a Crown colony which had been given to the Hudson Bay Company. This company had established in that colony a regular civil government, which was keeping order and peace, administering justice, receiving taxes upon imported goods and excise duties, and had established a municipal law. The legislative power was vested in a council composed of the governor of Rupert's Land, of the high officers of the territory, and some advisers.

These extracts contain the names of most of those advisers, if not of all. Amongst them were the Anglican Bishop of Rupert's Land, the Catholic Bishop of the Northwest, who, later on, became bishop of Saint Boniface when Bishop Taché was appointed, many Protestant ministers, and Mr. L. Laflèche, Catholic missionary, who later on became Bishop Laflèche of Three Rivers.

Schools had been established in the territory by Catholic and Protestant missionaries; about 1850 these schools were recognized as being of public necessity. The 1st of May, 1851, Rev. Mr. Cochrane, seconded by Rev. Mr. Laflèche, moved the following resolution:

> To weaken the mischievous and destructive energy of these violent and untamed qualities of human nature which so frequently manifest themselves in society, in a half civilized state, and to strengthen the feelings of honourable independence, to encourage habits of industry, sobriety and economy, it is moved—That £100 be granted from the public fund, to be divided equally between the bishop of Rupert's Land and the bishop of the Northwest to be applied by them, at their discretion, for the purposes of education. Carried unanimously.

Thus, this half civilized country which had at the most a white and half-breed population of an ordinary size town, recognized as a public utility, gave to the schools a grant of money out of the public funds.

At the fall sitting of the same year, 1851, the trustees of the Presbyterian Church of Frog Plain presented to the Governor in Council of Assiniboia the following petition:

> To the Governor and Council of Assiniboia,
>
> The petition of the trustees of the Presbyterian church of Frog Plain humbly showeth:
>
> That, as the improvement of education seems to be more requisite, at least among the Protestants of the settlement, than its mere extension, your petitioners pray, that their minister may receive from the public fund a sum proportioned to the fifty pounds, as aforesaid granted to the Church of England, without prejudice, however, to the recognized equality in the premises, between the Protestants as a whole and the Roman Catholics.
>
> And your petitioner shall ever pray.
>
> (Signed) A. ROSS,
> JOHN FRASER.
> and the other trustees of the
> Presbyterian community.
>
> Red River Settlement, 26th November 1851.
>
> Extract from Minutes of Council.
>
> Dr. Bunn moved and Mr. Laflèche seconded this resolution. That fifteen pounds be granted to the Rev. John Black, of Frog Plain, for the purposes of education in accordance with the petition of the committee of his congregation.
>
> Carried unanimously.
>
> Mr. Laflèche gave notice that, at next meeting, he will move for an additional grant to the bishop of Saint-Boniface of fifteen pounds for education in consideration of the additional fifteen pounds now granted for the education of the English population.

A year later, the motion of Mr. Laflèche, had not been presented at the spring sitting, I do not know for what reason. A year later on, on the 9th of December, 1852, the Rev. Mr. Laflèche, seconded by Doctor Bunn, moved: 'that £15 be granted to the bishop of Saint Boniface for the purpose of education.' The motion was carried, the Anglican bishop and the Rev. Mr. Cochrane voted against. These facts prove that denominational schools were recognized and subsidized by the regularly constituted authority of Assiniboia. These schools continued to exist till the organization of that part of the territory as Province of Manitoba, 1870, and at that date they had a vested right which was recognized in the Act 33 Victoria, chapter 3, section 22, subsection 1.

The Northwest Territory had in 1870 a population composed of white and half-breeds of a little over 12,000 inhabitants, of whom 7,000 were Catholics; that territory belonged to the King of England and was a Crown colony. The inhabitants were British subjects, and as such enjoyed the rights and privileges which are always recognized to British subjects. The Hudson Bay Company had, for a sum of money paid by Canada,

abandoned all its rights upon that country, which became thus a public domain. By the British North America Act, His Majesty transferred the administration of that part of his domains, as integral part of the Dominion, to the Privy Council of Canada. The British Act 31-32 Victoria, chapter 105, the Canadian Act, 32-33 Victoria, chapter 3, were passed to regulate this transfer from one jurisdiction to another, and provide for the organization of Red River as Province of Manitoba.

The Privy Council for Canada was not an expert in the art of governing and organizing a colony. It would not be saying too much that many of the members of that Privy Council believed that Canada was still a colony at that time. The Privy Council made many mistakes which necessitated the interference of the English cabinet. These mistakes and this interference brought the recognition of the rights and privileges of the inhabitants of the Territories, and the solemn promise that these rights and privileges would always be protected. Right shall be done in all cases, but let us not anticipate. This drama of the transfer of the territory to Canada lasted for more than a year. There were some comical incidents, when the governor of the new province would not be accepted by his subjects ; tragical incidents, such as the execution of Scott, and last the opera bouffe finale, when Fort Garry was taken by Colonel Wolseley. These incidents of so different nature were merely incidents. The main part was the resistance of twelve or thirteen inhabitants of the territory who did not want to come under the government of Canada, the Canadian domination, unless all their rights and privileges would be granted to them. In order to give a better relation of the facts which have direct bearance upon the present Bill, I will quote the great pacificator of the west, the eminent Archbishop of Saint Boniface, whose last years were devoted in claiming the execution of the solemn promises which were made in the name of the Queen and of the government of Canada to this population which had full confidence in him.

I cannot have been used as a medium of pacification, during the difficulties of 1870, and be obliged, to-day, to remain a silent witness of the violation of the promises which, more than anything else, secured that pacification.

As a general proposition, I say without hesitation that what is now going on in Manitoba and the Canadian Northwest, with regard to schools, is a flagrant and unaccountable violation of the assurances given to the Catholic population of these vast countries. Such assurances were entrusted to me for transmission, precisely because I was the chief pastor of that population. My episcopal character did not prevent the civil authorities asking my aid in a settlement of political difficulties ; and I claim the political mission I have accomplished should strengthen my voice when I state that the population was deceived when asked to accept an agreement which it would have repudiated in a very energetical way if it could only have suspected what is going on to-day.

These reproaches are serious, Mr. Chairman, I will establish that they are well founded. Would this not be sufficient to cause to reflect those who in this House believe in the principles of honour and dignity of the Crown ?

It was in March, 1869, that the conditions of the transfer of the Territory of the Northwest to the new Canadian confederation was settled between the imperial government, the commissioners of Ottawa and the Hudson Bay Company. In the course of that negotiation the inhabitants of the country were entirely ignored. Later on, Lord Granville in his despatch to Sir John Young, Governor General, cautioned the government of Canada : 'that the old inhabitants of the country will be treated with such forethought and consideration as may preserve them from the dangers of the approaching change.' This wise advice was not acted upon ; on the contrary, such measures were taken that Lord Granville in a despatch, dated the 3rd November, 1869, did not hesitate to state : 'The Canadian government have by this measure given an occasion to an outburst of violence in the Territory.' The noble lord added afterwards : 'Those proceedings have certainly enhanced the responsibility of the Canadian government.' The imperial authorities, in consequence of the dissatisfaction of the people, took on themselves a closer direction of affairs, in order, according to Lord Granville's words : 'to exhaust all means of explanation and conciliation before having recourse to force.' To comply with such direction the Canadian government asked Vicar General Thibault and my friend Mr. De Salaberry to proceed to Red River, in order to calm the apprehensions of the people. Sir Donald A. Smith received a commission under the great seal of Canada, and started for Fort Garry to use his salutary influence as mediator, and to turn towards that end the resources of his ability and the means that his exalted position placed at his command.

I was then at Rome, enjoying the happiness that the grand and imposing ceremonies and deliberations of the Ecumenical Council of the Vatican would procure to a bishop devoted to his church, when a telegrahpic despatch called me to Ottawa. Owing to the importance of the summons, the sovereign pontiff dispensed me from the ordinary rules of the council for obtaining leave of absence. His Holiness granted me a private audience, blessed my mission and myself and added with emotion : 'I bless the people of the Red river, on condition that they will listen to your advice and live in peace and charity.' I left the Eternal City on the 12th January, 1870. On my meeting Sir George Cartier in Montreal, he said to me, with his usual frankness : 'I am happy to see you. We have blundered, and you must help us to undo the mischief.' I proceeded with him to Ottawa, and remained in the capital some ten days. I often met the Governor General and his ministers. His Excellency called me to several private audiences, either alone or with some of his advisers. I had an interview with the whole ministry, and several with its leading members. After I had been made well acquainted with all the circumstances of the case, my departure for the Northwest was fixed for the 17th February. The day before leaving, I had the honour

of a long interview with the Governor General. His Excellency handed me the following autograph letter :

Ottawa, 16th February, 1870.

My Dear Lord Bishop,—I am anxious to express to you, before you set out, the deep sense of obligation which I feel is due to you for giving up your residence at Rome, leaving the great and interesting affairs in which you were engaged there, and undertaking in this inclement season the long voyage across the Atlantic, and long journey across this continent for the purpose of rendering service to Her Majesty's government, and engaging in a mission in the cause of peace and civilization.

Lord Granville was anxious to avail of your valuable assistance from the outset, and I am heartily glad that you have proved willing to afford it so promptly and generously.

You are fully in possession of the views of my government, and the imperial government, as I informed you, is earnest in the desire to see the Northwest Territory united to the Dominion on equitable conditions.

I need not attempt to furnish you with any instruction for your guidance beyond those contained in the telegraphic message sent me by Lord Granville on the part of the British cabinet, in the proclamation which I drew up in accordance with that message, and in the letters which I addressed to Governor McTavish, your vicar general and Mr. Smith.

In this last, I wrote : All who have complaints to make, or wishes to explain, are called up to address themselves to me, as Her Majesty's representative, and you may state with the utmost confidence, that the imperial government has no intention of acting otherwise than in perfect good faith towards the inhabitants of the Northwest. The people may rely that respect and attention will be extended to the different religious persuasions ; that title to every description of property will be carefully guarded and that all the franchises which have subsisted, or which the people may prove themselves qualified to exercise, shall be duly continued and liberally conferred.

In declaring the desire and determination of Her Majesty's cabinet, you may safely use the terms of the ancient formula : 'Right shall be done in all cases.'

I wish you, my dear lord bishop, a safe journey and success in your benevolent mission.

Believe me, in all respect, faithfully yours,

JOHN YOUNG.

This great citizen, Archbishop Taché, continues in this memorandum, from which I am quoting entire pages, to prove the royal promise and its violation by the Manitoba ordinance of 1890 and the Northwest ordinance of 1892 :

When I met the Governor General in Ottawa, in 1870, he insisted, in a special manner, that I should accept his word as a sure guarantee. He was not acting simply on the advice of his responsible ministers, but he was acting as the direct representative of our beloved Queen, having received from Her Majesty's government a special direction to that effect.

As a proof of this special mission, His Excellency, in alluding to his proclamation of December, 1869, told me : 'The proclamation I drew up in accordance with the message of Lord Granville.' That proclamation had not yet been promulgated in the Red river settlement ; it was given to me with the request to make it as widely known as possible ; specially among the Catholic population. His Excellency pointed out the following passage : 'By Her Majesty's authority I do assure you that on the union with Canada all your civil and religious rights and privileges will be respected.

The very letter I have quoted above proves also that the Governor was acting in the name of Her Majesty, otherwise he could not have said to me : 'I am anxious to express to you the deep sense of obligation which I feel is due to you for giving up your residence at Rome for the purpose of rendering service to Her Majesty's government.' His Excellency let me know that my services had been desired by the Secretary for the Colonies, and he wrote: 'Lord Granville was anxious to avail of your valuable assistance from the outset, and I am heartily glad that you have proved willing to afford it. Alluding to our long and numerous conversations, His Excellency added : 'The imperial government, as I informed you, is earnest in the desire to see the Northwest Territory united to the Dominion on equitable conditions. The imperial government has no intention of acting otherwise than in perfect good faith towards the inhabitants of the Northwest.'

His Excellency was so anxious that I should persuade the people that they had nothing to fear, on account of their religion, that, in his letter to me, he added a new promise to the assurance given in his proclamation. In that letter, we read 'By Her Majesty's authority, the people may rely that respect and attention will be extended to the different religious persuasions.'

If the proclamation issued by the representative of our beloved Queen, in her name, and framed by special direction from a minister of Her Majesty ; if the letter addressed to me, to corroborate His Excellency's most solemn assurances, given 'by Her Majesty's authority ;' if all that means anything and is not purely idle talk, it means that : at the union of this country with Canada all religious rights and privileges of the different religious persuasions would be treated with respect and attention.

The Catholic populations of Her Majesty's domain were not to be excluded from such advantages ; the proclamation was specially intended for them, as well as the letter addressed to me.

Now, the religious convictions of the Catholics, with regard to the education of children, are well known ; they are the same in all countries and at all times ; they are such that the faithful and their pastors bear all sorts of expenses and annoyances rather than to desist from them.

A Catholic population does not enjoy full religious freedom when impeded from having schools in accordance with their own ideas or convictions. This was well known to the Governor General of Canada when he promised respect and attention for our religious persuasions, when he assured the Catholics that their religious rights and privileges would be respected. It would have been a mockery to add that there would be no protection for Catholic schools. That mockery, the Catholics have to bear it now, both in Manitoba and in the Northwest. Respect and attention are extended to the different religious persuasions, except to Catholics ; so much so that Protestants are granted schools that satisfy them while the Catholics are refused the same privi-

leges ; their schools are surrounded with difficulties on account of religious convictions.

Such is the respect and attention extended 'to one of the different religious persuasions' in Manitoba.

In the first part of this memorial, I have shown, under its true light, the condition of Catholic schools in the Northwest under the ordinance of 1892, which the government of Ottawa has just declined to disallow. More cautious than the government of Manitoba, the government of the Territories has left the Catholic schools in existence, but it has deprived them of what constitutes their true character and of their freedom of action.

The new school laws of Manitoba and of the Northwest are a plain and manifest violation of the assurances given by Her Majesty's authority and in her name.

The Catholic persuasion 'far from receiving the respect and consideration promised to the different religious persuasions,' is deprived of rights and privileges which ought to be considered natural and inalienable in a country which boasts of religious equality and of freedom of conscience.

The Governor General wrote to me : 'In declaring the desire and determination of Her Majesty's cabinet, you may safely use the terms of the ancient formula : right shall be done in all cases.' I used the terms, they were respected for twenty years in school legislation, but since 1890 the lie is given to the formula.

I know, better than any one else in the world, the impression I was asked to convey to the dissatisfied people of Red river, and now that the assurances then given are not taken into account, I strongly protest against such injustice and violation of the promise said then to be formulated by royal authority.

I thought that these lengthy quotations of a memorandum now unknown by most of our politicians were necessary for the argument I wanted to make, that the posthumous words of a man having such an importance and authority will be of a great help to prove the facts upon which I rely. There were schools in existence in the Northwest more than twenty years before the transfer of that country with Canada; these schools were denominational, that is to say, Protestant or Catholic. This is a fact which I have proved and that nobody can deny. In 1869, the population of the territory did not want to join the confederation unless they would have the guarantee that their rights and privileges, civil and religious, would be respected by the Canadian government. These assurances were given in the name and by the authority of Her Majesty. I could stop here and conclude my argument in the very words used by Archbishop Taché :

> To any British subject it ought to be sufficient to have demonstrated that the rights of the Catholics to their separate schools in Manitoba and the Northwest have their foundation in the honour of the empire which has been engaged by the assurances given officially in the name and by 'Her Majesty's authority.'
>
> To any Canadian worthy of the name it ought to be enough to have proved that the most elementary justice commands the respect of the conditions which have been stipulated and to which Canada has been a party having consented to the terms without which she would not be to-day in possession of what constitutes the half of her domains.

But I desire to complete my argument and give the proof that Canada thought the country was bound by the assurances given to this western population, so much so, that before taking possession of the Red River the Canadian parliament passed a law organizing part of the territory which was to be admitted into the union, as province of Manitoba. Section 22 of that law is known to everybody and reads thus :

> In and for the province, the said legislature may exclusively make laws in relation to education subject and according to the following provisions.
>
> Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law or practice in the province at the union.

The Canadian parliament was aware of the true state of things in the Northwest Territories when this law was sanctioned on the 12th of May, 1870. Parliament knew that if there was no very elaborate laws on education in the Northwest, the denominational schools were in existence there for a quarter of a century, and that there was no other system. Parliament knew that when the delegates were asking an annual grant for their schools, it was for the denominational schools because there were no other, and section 22 could be made only for the protection of Catholic and Protestant schools then in existence. All the quibbles of the world are of no avail against logic and simple reasoning. The parliament wanted to fulfil the promise which had been given by the British government. Our statesmen knew that there were no other schools in the Northwest except the denominational schools, and their intention was to guarantee these schools against attacks of fanaticism and ignorance by passing this section 22. 33 Victoria, chapter 3.

In 1870, the Conservative party was in power in Ottawa, and the action of the government and of the parliament where that party had the majority, could have been construed by thoughtless people as the action of a party. Even that straw was not to be left to the opponents of right and justice.

In 1875, the Liberal party was then in power. Parliament passed a law organizing the Territories and in that law we find section 11 which says :

> The Lieutenant Governor in Council shall pass all necessary laws in respect of education, and that it shall therein always be provided (a) that a majority of the ratepayers of any district or portion of the said province, or of any less portion or subdivision thereof, by whatever name it is known, may establish such schools therein as they think fit, and make the necessary assessments and collection

of rates therefor, and (b) that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and make the necessary assessment and collection of rates therefor, and (c) that in such case the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessment of such rates as they impose upon themselves with respect thereto.

By these two Acts, constitutional parliament the whole country, Conservatives as well as Liberals, fulfilled the royal promises made to the inhabitants of the Northwest Territories and the rights and privileges which were covered by those promises. By these constitutions of Manitoba and the Territories, these rights and privileges solemnly guaranteed became intangible, and the legislature of the new province and also the legislature of the organized territories have maintained these rights and privileges in their first laws and ordinances on education.

During twenty years in Manitoba, during seventeen years in the Territories, the sense of justice and honour prevailed and peace was enjoyed. After that short period imperial promises were violated, constitutions given by federal government were shattered, and since then, Catholics are deprived of their rights.

There was a lack of firmness at the beginning. It should have been distinctly stated that provincial rights in matter of education existed only under the express condition that the rights of the minorities should be respected. Without this condition provinces have no rights whether exclusive or others. To my mind, this doctrine cannot be assailed. It is because it has not been held from the beginning and firmly and strongly sustained, that this morbid agitation which is still doing to-day so much mischief became possible, and in the course of time led astray a great part of our people. Nevertheless we may say that it has been more noisy than effective. In 1896, notwithstanding the efforts of the strange coalition of the Liberal party, under Mr. Laurier, with the ultra Protestants under the guidance of Mr. Dalton McCarthy, and the Tories under Mr. Clarke Wallace, Manitoba which according to the coalition, was so cruelly persecuted, the province which had the greatest interest, was sending four Conservative members out of six to the federal parliament. The same would be repeated to-day if only we had a little courage and firmness. But I come back to my argument. I have proved most conclusively that assurances and promises had been given by the imperial authorities to the inhabitants of the Northwest before the transfer of that territory to the new Canadian confederation. The constitution granted to Manitoba and to the Territories show that Canada recognized these assurances, and fulfilled them faithfully. I am thus in the position to say that the dignity of the Crown is engaged and that the violation of these promises and constitution should be remedied. I may say, with all due respect to the King, that the King by parliament of Canada is bound in honour to restore these violated rights, to reinstate in their rights and privileges that portion of his subjects who trusted the word of the Crown, and who are now persecuted on account of their religious convictions.

The sole reason of the Canadian parliament in voting the two constitutions of Manitoba and the Territories, was not merely the execution of the promises given ; the country had entered towards the proposition of the Northwest in a compact which we are bound to maintain.

In the beginning of 1870 there was no province of Manitoba, no government in the Northwest Territory. Canada itself possessed nothing, and had absolutely no jurisdiction in these vast countries.

Forgetful of the restrictions of federal autonomy, Canada went beyond its jurisdiction and thereby gave occasion to difficulties in the Red river country, which at the time was purely and simply a British possession ; the Hudson Bay Company having, on consideration, desisted from its pretensions or rights. The imperial government was willing to transfer the country to Canada, on the conditions stipulated in 1869, but moreover, on certain other conditions determined by the insurrectional movement, which had been caused by Canada's premature entrance in the country.

The Northwest was not to enter into confederation as a conquered land. ' Troops should not be employed in forcing the sovereignty of Canada on the population of the Red river, should they refuse to admit it.' (Sir F. Roger's letter, 22nd March, 1870.) Having not to conquer, Canada had to resort to negotiations to secure the admission of the Northwest into her confederation and to accept decision of Her Majesty's government on all portions of the ' Settlers' Bill of Rights,' in order to satisfy the delegate who had been called to negotiate. The negotiations were unquestionably binding on both sides on the points agreed to, otherwise they could not be called ' negotiations ' or ' understanding as to the terms on which the settlements on the Red river should be admitted into the Dominion.'

Peace was restored within a short time and on May 3, 1870, the Governor General was able to telegraph to Lord Granville: ' Negotiations with the delegates closed satisfactorily.'

All that was to be, and was done without trespassing on the autonomy of the Dominion of Canada; but all that could not be done without imposing on Canada new and special obligations, that she would have to respect and cause to be respected throughout the country she was to acquire, and in the different provinces and territories that she might think proper to circumscribe therein. These obligations, on the part of the federal government, cannot be considered as an encroachment on the rights of the province of Manitoba, or of the Northwest Territories, as they were accepted by Canada, even before the creation of Manitoba, and the organization of the Territories.

Let us now consider what are the obligations of the federal government with regard to education in the countries which have been the object of the negotiations of 1870.

The delegates of the Northwest carried to Ottawa and supported a certain bill of rights. The 7th article related to schools, and de-

manded separate schools and an equitable distribution of school money, in order, according to the Governor General's expression: 'that respect and attention would be extended to the different religious persuasions.'

No objection was made against this proposition of the delegates. On the contrary, they were assured that it would be carried out, and on both sides it was considered as a condition of the entry of the Northwest into Confederation. Therefore, the delegates asked for separate schools which would have the right to share in school appropriations; the request was accepted favourably by the ministers who were negotiating in the name of the Canadian government, and Lord Granville, in the name of the Imperial government, wrote Sir John Young on May 18, 1870:

'I take this opportunity of expressing the satisfaction with which I have learned from your telegram of the 3rd instant, that the Canadian government and the delegates have come to an understanding as to the terms on which the settlement on the Red River should be admitted into the Dominion.'

At six o'clock House took recess.

After Recess.

House resumed at eight o'clock.

Mr. LEONARD. (Translation.) When the House rose, I had shown—and these facts cannot be controverted—that the population of the Red River settlement would object to come into Confederation unless given the assurance that their 'civil and religious rights and privileges' were guaranteed to them. The Queen by her substitute had made a solemn pledge to that effect. In order to come to an explicit understanding, the Canadian government invited these people to send their delegates to Ottawa to negotiate. A delegation was appointed, the members of which came to Ottawa, and being duly received as fully authorized delegates, negotiations were opened which 'were closed satisfactorily.'

The Imperial government expressed its 'satisfaction that the Canadian government and the delegates had come to an understanding as to the terms on which the settlement on the Red River should be admitted into the Dominion.'

And this understanding included the continuance of sectional schools in the Northwest. The people of that country had no other and knew no other form of schools.

So that the continuance of the separate school system was made a condition for the Territories to come into Confederation. Thus it follows forcibly that the same principle must necessarily prevail and be embodied in the constitution which might be drawn up for any province that the Canadian government or parliament may in the future create in the Northwest. There is no doubt but that the Canadian government and parliament yielded to international law and the laws of honour in inserting clause 22 in the constitution of Manitoba and clause 11 in the constitution of the Territories.

And this is the reason why I stated that parliament was moved by another incentive than the redemption of the royal pledges which led him to perpetuate under the constitution the continuance of sectional schools, and that incentive was the sacredness of verbal pledges and the obligations imposed by international law.

Mr. Chairman, this obligation still holds. We are not free to evade it. We could not constitutionally repudiate it even if we so desired. And this is the last point I wish to draw your attention to before concluding my remarks. In the provincial constitutions drawn up by this parliament, the stipulations concerning the legislative power are of three different natures: First, are the clauses relating to the active power of the province and determining the matters it shall bear upon; 2nd, are the clauses expressly restrictive or by reference to the B.N.A. Act; and 3rd, are the constitutional clauses proper. Matters pertaining to the two first clauses are subject to the will and even to the mere impulse of the legislatures and the parliament. But the constitutional clauses which are based upon formal compacts, cannot be tampered with by any one, neither by parliament nor by legislatures; and anything enacted to the contrary is void and null; anything that infringes upon the spirit and even upon the form of those clauses is equally void and null. And this parliament cannot re-enact laws or ordinances contrary to the spirit of the constitutional clauses of Manitoba or the Territories. I draw especially the attention of the right hon. Prime Minister and of the Minister of Justice to this particular point of constitutional law.

Clause 16 as originally passed in second reading, is in conformity with clause 11 of the constitution of the Territories, and is in order. The clause which the hon. the Premier wants to substitute in its stead is unconstitutional and would be null and of no effect even if carried by this parliament.

In connection with the teaching of the French language in the schools of the Territories, I was very much pleased indeed to hear the beautiful argument made last night by my hon. friends the member for Labelle (Mr. Bourassa) and the member for Montmagny (Mr. Lavergne). I would have liked very much to have added a few words of endorsation of what they have said upon this question, but I hesitated to do so for fear lest I should be exposed to repeat again what this House is already very much aware of. I will confine my remarks to the mere statement that I approve unhesitatingly of their views on this matter, and that I am sure that if the Hon. Minister of Justice (Mr. Fitzpatrick) wished to be sincere he could this very evening amend this Bill in such a way as to guarantee to the children of the Territories the right of being taught their own language in the schools that are about to be forced upon them.

I regret to have detained this committee at such a length, but it occurred to my mind that perhaps the duty would devolve upon me to explain why, after voting with the Prime Minister as against the leader of the opposition, on the second reading of this Bill, why after voting with the Liberal party under those circumstances I am now forced to vote for the amendment put by the hon. member for Beauharnois (Mr. Bergeron).

Mr. FITZPATRICK. (Translation.) Did I understand my hon. friend to state in the course of his remarks that the Minister of Justice had in his possession certain documents purporting to emanate from the Catholic hierarchy protesting against the wording of the law now under consideration and claiming certain rights and privileges for the minority?

Mr. LEONARD. (Translation.) I stated that I had been informed that the Prime Minister and the Minister of Justice had received letters from the proper authorities asking to be more adequately protected.

Mr. FITZPATRICK. (Translation.) I must say that I never received any such letter as that stated by my hon. friend.

Mr. LEONARD. (Translation.) No letter whatever?.

Mr. FITZPATRICK. (Translation.) Yes, I received one letter.

Mr. BERGERON. Before the motion is put I wish to make a few remarks in answer to the criticism made by the Minister of Justice of the wording of my amendment. I drew the amendment in French and afterwards had it translated into English, the translation may be badly made. If the minister will look at the French version of the amendment he will see that the word 'school district' is used. In the translation into English this is improperly rendered 'school section.' The translation was badly made and that is probably the explanation which my hon. friend desires.

Mr. FITZPATRICK. If my hon. friend would permit me to look at it it would be better, the translation is so exceedingly bad.

Mr. BERGERON. I wish my hon. friend would read it in French.

Mr. MONK. Before the vote is taken I think it is perhaps better that I should give some explanation in answer to the remarks made by the Minister of Justice just after my friend from Beauharnois spoke, and also to explain my object in voting for the amendment now under consideration, and why I voted yesterday for the amendment presented by the hon. member for Labelle. I intended to give these explanations in speaking in support of the motion of which I have given notice and which will come up in a moment. It would, however, be perhaps better and clearer and save time if I gave these explanations now. There is one point to which, I have no doubt, the attention of the House has been drawn for a long time in connection with clause 16 and the second amendment of the Prime Minister. That point is that that clause does not provide any guarantee or protection for the Catholic minority in that province, when that Catholic minority in any particular locality in which they are organizing happens to be in a local majority. There is no doubt about that, it is sufficient to read subsection 1 of the section proposed to be substituted in order to see that. The subsection reads :

> Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of passing of this Act under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901.

Therefore this clause only provides a guarantee of protection and maintenance of existing rights such as they are where the Catholic minority being in a given locality in a local minority have organized a separate school. Where they are in a majority in a locality and they organize a school district under the ordinances referred to in this subsection they have no guarantee that their rights will not be interfered with. When this question came up for discussion at first and I spoke upon it I was not aware, nor was any one in this House I think aware, that that case of a majority organization was the most frequent case in the new provinces. As I understand it, there are 150 schools where the Catholics being in a majority have organized what we may term for the purposes of this discussion public schools, and therefore they have no guarantee of any protection in the future. It is, on the contrary, in a minority of cases that they are organized into separate schools.

Mr. BOURASSA. In nine cases.

Mr. MONK. In nine cases, and in 150 cases they lack that protection. As I understand it, this parliament has declared expressly in favour of protection, of the guarantee of the maintenance of rights in favour of a Catholic minority. I shall not discuss the reasons which have led to the confirmation of that principle by a very large majority in this House and as far as we have been able to test public opinion the sentiment expressed by the House has been confirmed throughout the country. Under those circumstances I deem it the duty of the government to supplement this provision in subsection one by guaranteeing to the minority protection all over the province. That is the reason why I voted for the amendment of the hon. member for Labelle (Mr. Bourassa). We have an intimation from a very high authority, up to the present moment at least, Mr. Haultain himself, who has declared publicly that the struggle for educational independence will be pursued ; it will continue. We have seen fit in this parliament in the exercise of our legitimate functions to secure protection to

the minority against further encroachments. The principle has been confirmed; it remains for us, it seems to me, to complete the confirmation of that principle by amending that subsection. I will be asked: Did the amendment of my hon. friend from Labelle (Mr. Bourassa) provide that protection? Does the amendment, which I have not examined carefully until this afternoon, presented by my hon. friend from Beauharnois (Mr. Bergeron) provide that protection. Let us take the amendment proposed by my hon. friend from Labelle (Mr. Bourassa). My hon. friend has by his amendment sought to apply purely and simply clause 93 of the British North America Act. It is true that there is the educational provision which exists in all these amendments as to the distribution of public moneys for educational purposes, but he rests his expectation that this important, this grave defect in the present section will be remedied by applying section 93 purely and simply. This is undoubtedly a very complicated matter. I doubt if section 93, applied purely and simply, does assure that protection to the 150 schools that exist at present.

Mr. BOURASSA. I meant the application of section 93 by making it perfectly clear that it would apply as if the Territories to be admitted as a province were already provinces, therefore assimilating the law passed in this parliament in 1875, to a law that would be passed by the province.

Mr. MONK. Yes, I shall come to that in a moment. I presume it is in this first subsection of section 93 of the British North America Act that we must look for the solution of the case to which a moment ago I called the attention of the committee.

Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

Is a school organized by a Catholic majority under the present ordinances in the Territories, consequently, a public school or a denominational school? I say there is a doubt upon that point. I confess—but what is the value of an opinion?—that I would be inclined to think that it is a denominational school, but not a denominational school as we have hitherto understood denominational schools to be, as we understand denominational schools in the province of Quebec. I think it might fairly be argued under all the circumstances that a school organized by Catholics because they are in a majority in a given locality is sufficiently a denominational school to bring it within the purview of this subsection. There is a doubt, but I think it is brought within the section, and if it is to be understood that the particular school, the public school organized by a Catholic majority is a denominational school it seems to me undeniable that under this subsection of section 93 they cannot be interfered with, therefore that if this school is a denominational school it would be impossible for the legislature to diminish the rights which at present the Catholics who have so organized would have in that school. Under the subsection of the Minister of Justice it is needless for me to argue, it is certain that it is only in the case of separate schools that the protection is provided.

Mr. CAMPBELL. Will the hon. gentleman explain the difference between a denominational school and a public school?

Mr. MONK. It is very difficult to do that because as we understand denominational schools in the past, they are schools frequented by children belonging to a certain denominaton, the regulation, teachers and control in every respect of such are exercised by a body belonging to that denomination. That is what we understand by denominational schools in the province of Quebec, and that is what at first blush one would understand by such schools. But inasmuch as in the Northwest Territories, under the special legislation now existing there, they recognize the difference between Catholics and Protestants, I think it might be fairly argued that where Catholics are in the majority in a school district to be organized, the school there organized would be sufficiently denominational to claim the protection given by the very general terms of subsection 1 of section 93 of the British North America Act. My hon. friend the Minister of Justice quoted some words I uttered when I first spoke on this question, when I spoke of the protection afforded the Catholic minority in the Northwest by the draft Bill submitted to the right hon. the First Minister by Mr. Haultain, and the protection which the minority found in the first clause 16 and that given them by clause 16, No. 2. Let me point out what I think is of some importance to this committee and what may explain the great divergencies of opinion existing among lawyers as to what our powers are in creating a province. I argued, when I first spoke on this subject—and I think that opinion was also expressed by many legal gentlemen—that our only power under the British North America Act and its amendments was to create a province. We could create a province and under section 2 of the Imperial Act of 1871 we could provide sufficient machinery to bring the province into existence and subject it to the provisions of the British North America Act. But we could not go beyond that. We could not invade in any way the division of the field of jurisdiction which has been made by the British North America Act. I proceeded upon that assumption at that time, and it did not seem to me to admit of doubt. A very different proposition, however, has been enunciated here by my hon. friend the Minister of Justice, and I think it is the proposition of the government, namely, that we are not restricted

at all in that way; that we can not only create a province, to be subject afterwards to the application of the British North America Act, but that we can by the Act of creation legislate for the province so as to vary the jurisdiction provided by the British North America Act. I think that there can be no doubt at all that that is the opinion of the Minister of Justice and the theory of the government.

Mr. FITZPATRICK. Do I understand my hon. friend's opinion to be that if we create a province it then falls automatically under the provisions of the British North America Act? If that be conceded, what would become of the existing school legislation of the Northwest Territories?

Mr. MONK. Under section 93 of the British North America Act the existing legislation would be maintained.

Mr. FITZPATRICK. But that legislation was made when there was no province but only a territory.

Mr. MONK. I stated that if we created out of a territory a province, the legislation of the territory on educational matters, previous to its erection into a province, would be maintained.

Mr. FITZPATRICK. Under what section?

Mr. MONK. Under the section of the British North America Act, which I do not wish to quote as it would take too long. But the proposition of the government is very different. It is that we are absolutely the master. I pressed my hon. friend the Minister of Justice one evening, when we were providing for a new distribution of seats after five years, on that point. I called his attention to the fact that by that provision we were violating the law as contained in the British North America Act, which provided that a distribution could only take place after the decennial census, and my hon. friend explained that we were not bound by that very clear provision of the Confederation Act. In support of that view he pointed to the closing clause of the British North America Act amendment of 1886. But we need not go so far as that. The British North America Act provides expressly that Crown lands vest in the province, and we are legislating absolutely in an opposite sense. We are keeping the Crown lands by virtue of a formal clause in this Bill. On another occasion I asked my hon. friend the Minister of Inland Revenue if he went so far as to say that we could reserve to ourselves exclusive jurisdiction on the subject of agriculture, which is one of those assigned to the provinces under the British North America Act. He said that we could. Then my hon. friend, the leader of the opposition, asked if we could keep under our jurisdiction the important subject of property and civil rights, and he said we could undoubtedly. I asked him if clause 93 of the British North America Act applied and if we could amend it. He said it did apply and we could amend it. I have, therefore, good ground for saying that, according to the interpretation of the government we are not bound by the British North America Act, and can legislate with absolute power on all subjects mentioned in that Act, and there is no such theory as the application automatically of the British North America Act to any new provinces we may create. I explained my view at that time, and my hon. friend from Hamilton (Mr. Barker) went a great deal more fully into that point. Section 2 of the British North America Act of 1871, which is rather a long section to quote, according to our interpretation, merely gave us the power to provide the necessary machinery for the creation of a province, but once the province was created, it became subject to the British North America Act.

As to what Mr. Haultain said, I have not here the papers which contain all the documents connected with the negotiations between the government of the Territories and the government here regarding the creation of these two provinces, but hon. gentlemen will find, by reference to those documents, that Mr. Haultain's view was shown by his draft Bill and expressed throughout all his comments upon it, and it is that the British North America Act should apply, and consequently section 93 should apply. This is precisely what my hon. friend from Labelle (Mr. Bourassa) asked for in his amendment; and I stated under my view of our powers, that I thought that was the best perfection we could have. But I stated that it would be necessary probably to modify the words of Mr. Haultain's draft Bill. I had not that Bill before me at the moment. But the principle was admitted that section 93 was to be applied, and I thought that was all the protecion which the minority could claim in any newly-organized province. The Minister of Justice and other hon. gentlemen on that side representing the government, contended that our powers are far more extensive. Then we had clause 16 as at first brought down. Well, that clause provided for the application of section 93, and in applying that section we always find the difficulty of determining whether the schools at present in the Northwest are or are not denominational schools. But it immediately continues in these words:

> Subject to the provisions of said section 93, and in continuance of the principle heretofore sanctioned under the Northwest Territories Act——

In continuance, that is to say, of the statute of 1875.

> —it is enacted that the legislature of the said province shall pass all necessary laws in respect of education, and that it shall therein always be provided (a) That a majority of the ratepayers of any district or portion of the said province . . . may establish such schools therein as they think fit . . . (b)

That the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein.

And there is a provision in regard to the ratepayers being obliged to pay only for the support of their own schools. Well, speaking generally, what has happened under the law of 1875 ? The legislature of the Territories has maintained the bare principle of separate schools, but it has taken away everything else. It began by recognizing, probably, the spirit of the law of 1875, and providing a dual system such as we have in Quebec. But since then it has taken away the control of the curriculum, of the qualification of teachers, the normal schools, everything but what is covered by the mere letter of the bond—if I may use that expression—as to the existence of separate schools. It has been stated that these enactments are ultra vires, and opinion has been cited to that effect. But we have no pronouncement by any tribunal. And it occurred to me, I must say, that if we re-enact that clause, which is the governing clause of the section, that would keep the ordinances which now exist. To say that under this clause litigations might be begun to question the validity of the ordinances, and to try to obtain restoration of the law as it existed previous to the passage of these ordinances, would be a very unsatisfactory condition of affairs for the minority in the new province. I claimed at the time that under the substituted clause 16 we had something clearer. The ordinances at present in force were specially referred to. There was no ambiguity possible ; and what small rights the minority possess today were indicated there in so many words, and the minority could not be deprived of those rights. Under clause 16, as first brought down—to give an instance—if the legislature of the province saw fit to abolish the advisory board, and thereby deprive the Minister of Public Instruction in the province of the advice—for it is nothing more —of the two Catholic members of that board, what would there be to prevent ? I do not think that there is anything in clause 16, as at first proposed, to prevent such an enactment. It would be, nevertheless, an encroachment, to a certain extent, upon the rights of the Catholic minority. If, under clause 16, as at first proposed, the legislature passed a law declaring that the Minister of Public Instruction would have a right of veto upon the nomination of professors, would that be ultra vires ? I do not think so. But it would be an abridgement of the rights of the minority. Under the present clause 16 the trustees have the right to choose and control their own professors, provided that those professors have the qualifications required by the law of the Northwest Territories. In other words, under clause 16, No. 2, I find the assurance that there would be less possibility of litigation. It merely, in effect, enumerated the privileges which, under clause 16, as at first brought down, it was attempted to secure in a vague way. But there is no doubt that the case of the majority in an organized district, if Catholic, is not provided for in this section. The amendment of my hon. friend from Labelle (Mr. Bourassa) is an attempt to provide for that case, which case, I think, must have been overlooked. The amendment of my hon. friend from Beauharnois (Mr. Bergeron) clearly raises that point—it matters little in what language—as will be seen on reading subsection (c) of that amendment. That is the reason why I vote for these two amendments.

But before I resume my seat, let me advert again to the position taken by the government. The government takes the position that it is not restricted, in the sense that I understood and said that it was, in legislating in regard to these two provinces. It claims to be free. Well, if it is free, why does it not provide further guarantees ? We have declared in this House that the minority in this new province is entitled to protection. If we are not bound by the British North America Act in the strict sense that some have maintained we are ; if, on the contrary, we are free to legislate absolutely untrammelled, why does not the government, I do not say restore all the privileges of which the minority have, in my opinion, been most unjustly deprived, but at least provide guarantees which will give us the assurance that what was promised to the minority in the most solemn manner when these Territories were organized shall be secured to them in the future.

Mr. FITZPATRICK. My hon. friend (Mr. Monk) gives as a reason why he now changes his opinion about the effect of this legislation, that, under clause 16 No. 2, the position of the minority, where they happen to be a majority in a particular school district, was not provided for. As a reason for changing the opinion that he expressed on the 23rd of March, he says that their position is made clear by the amendment now proposed.

Mr. MONK. I do not think my hon. friend is justified in saying that I changed my opinion. If I were one of the minority in that province I would find as much protection in the second clause as in the first, excepting as regards the particular case which I have mentioned a moment ago, and I think I explained the circumstances under which that case was brought to our notice.

Mr. FITZPATRICK. My hon. friend must not overlook what he said. Speaking of clause 16, No. 2, he said :

So I do not see in the last enactment that there is any concession—very far from it. I think the last amendment goes perhaps a little farther than the original enactment which caused so much excitement, because it defines more clearly what the privileges of the separate schools are.

Mr. MONK. I remember also my hon. friend answering the ex-Minister of the Interior and telling him that the intention which he had was to maintain existing privileges solely ; if that purpose was not expressed in the clause it would be changed, but that his intention was solely to maintain existing privileges.

Mr. FITZPATRICK. But that is not answering my question. Does he think that the second clause goes further in the direction of protecting the rights and privileges of the minorities than the first ? My hon. friend expressed the opinion that it does. I understand him now to say that he was mistaken at that time.

Mr. MONK. As regards the minority.

Mr. FITZPATRICK. I understand him now to say he was mistaken at that time because, with respect to that part of the minority, speaking broadly, which would happen to be the majority in a particular district, the second clause does not protect them, and that this amendment now does protect them, hence his support of it.

Mr. MONK. I question very much whether the case which I brought to the notice of the Minister of Justice was provided for by the first clause, and I think it would be in order for my hon. friend to state whether, when he drew this second clause, he knew what the position was in districts where the majority is Catholic.

Mr. FITZPATRICK. Yes, and I have provided for it. If my hon. friend will do me the pleasure to take up the first clause he will see it is provided for in terms :

2. Subject to the provisions of the said section 93, and in continuance of the principles heretofore sanctioned under the Northwest Territories Act, it is enacted that the legislature of the said province shall pass all necessary laws in respect of education, and that it shall therein always be provided (a) that a majority of the ratepayers of any district or portion of the said province or of any less portion or subdivision thereof, by whatever name it is known, may establish such schools therein as they think fit, and make the necessary assessments and collection of rates therefor, and (b) that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and make the necessary assessment and collection of rates therefor.

Mr. MONK. And if the legislature makes that very school so organized a school where it is impossible for Catholics to send their children, what will happen ?

Mr. FITZPATRICK. What will happen will be exactly what will happen under this amendment, that you leave the whole thing in the hands of the legislature, and you ask them to guarantee the doing of something that they are free to do or not to do. That is what will happen.

Mr. MONK. I recognize that under the first clause they can organize as under the second clause, but when they are organized separately, if the legislature chooses to say that in the public schools there shall be no religious teaching at all, what will be their recourse ?

Mr. FITZPATRICK. I do not think that time can be profitably occupied in any further discussion of this matter. I think the only difference between the position taken by my hon. friends opposite previous to the London election and the position taken now, was the effect to be produced in Ontario at that time and the effect to be produced in Quebec at the present time. I will now repeat to my hon. friend what was said by the leader of the opposition with respect to this second clause, speaking on the 8th of June, 1905 :

If I understand the English language, you have in chapter 29, section 41, which is thus perpetuated as part of the constitution of the new provinces for ever, exactly the same provisions as those which are to be found in the Act of 1875. Every word, so far as I understand it, that is to be found in the Act of 1875, is to be found here. Section 16, No. 1 perpetuates the Act of 1875 in so far as that Act provides for separate schools for the Territories. That was the intention, that was the direct enactment, of section 16, No. 1. Section 16, No. 2 does the same thing indirectly. It does not re-enact this Act of 1875 as a part of the constitution, but it re-enacts this part of the ordinances of the Northwest Territories as part of the constitution, the chapter and section of the ordinances to which I have just referred, and which are thus made part of the constitution of the new provinces for all time to come. The provisions of that section are to all intents and purposes, so far as my understanding goes, the same as the Act of 1875.

That is the opinion expressed by the leader of the opposition on the 8th of June last, to the effect that the second section perpetuates the provisions of the Act of 1875 with respect to schools ; and that was the opinion expressed by my hon. friend from Jacques Cartier on the 23rd of March last.

Mr. R. L. BORDEN. The Minister of Justice might add that it was the opinion which he controverted, and that he attached importance to the words contained in the first clause 'may establish such schools therein as they think fit,' arguing, as I understand him, distinctly and forcibly, that the words 'as they think fit' contained in the first clause gave to the majority in any district power to establish, not only any number of schools, but schools of any character that they desired, with such control over the religious teaching as they desired. That was the point the Minister of Justice made as to the difference between section 16, No. 1, and section 16, No. 2. It is of much more importance to know what the Minister of Justice and the government thought about this than what the leader

of the opposition thought about it, and I wonder that my hon. friend, on this particular occasion, is so anxious to seek refuge in what the leader of the opposition said. If the Minister of Justice will take the opinion of the leader of the oposition as to all these matters, I think we may get along pretty amicably.

Mr. FITZPATRICK. Which side of that side of the House does my hon. friend speak for ?

Mr. R. L. BORDEN. Well, I think I can speak in that regard for all sides of this House. If the Minister of Justice wants to resolve himself into an interrogation point, well and good ; but perhaps he will answer some questions on his own part. He has not answered one question that has been put to him a good many times to-day, and that is, why he substituted section No. 2 for section No. 1. He has never answered that yet. He brought in here a typewritten statement of the alleged differences between them ; but he has never, from the time that this amendment was first introduced up to the present time, although challenged repeatedly across the floor of this House to do so, he has never stated the reasons which induced him to abandon section 16, No. 1, after having declared that he would stand or fall by that, that the minority would never rest, that there would be no peace in this land until they got their rights. There is, according to his express statement in this House, a very important difference between the two sections, a difference to this effect: Section 16, No. 1, gave to the minority in the Northwest Territories—I use the word minority in the general sense—control over their schools in so far as teaching is concerned and in so far as other matters of importance are concerned, whereas, according to the statement of the hon. Minister of Justice made to this House on the 8th day of June, if I apprehend his meaning, there is not that control under section 16, No. 2.

Mr. FITZPATRICK. I have no hesitation in answering any question put to me in so far as I am able to do it. Section 16, No. 1, was, in my humble judgment, an ideal clause. It was a clause which consecrated a principle ; that is to say the principle of giving to the minority in the Northwest Territories those rights and privileges which the law had conferred upon them. Clause 16, No. 2, is a departure from that in so far as it consecrates the system which was created in the Northwest Territories by the local authorities. Clause 16, No. 2, is a departure from that principle as far as the minority where they happen to be the majority in a certain district is concerned. If I had been alone in this matter I would undoubtedly have adhered to clause 16, No. 1, but I knew perfectly well that I could not always have my own way and I knew that under the alternative it was a question of giving to the minority what they get under clause 16, No. 2, or giving them nothing if my hon. friend had power to do it.

Mr. R. L. BORDEN. In the one case the hon. Minister of Justice says that there is mere separation while in the other case it is separation with control. That is about what it means ?

Mr. FITZPATRICK. I would not like to say that.

Mr. R. L. BORDEN. I do not ask the hon. minister to accept that. It may be a very rough and ready way of arriving at the result. I stated before, and I still think, that the logical result of the right hon. Prime Minister's argument in this House on the 21st February and of his argument again in this House on the 22nd March would be to pass such legislation as that which was moved by my hon. friend from Labelle (Mr. Bourassa) last night and that which is moved by my hon. friend from Beauharnois to-day. The argument was that there is a compact, there is a pledge, and it is our duty to observe that compact and to keep that pledge. We have power in the British North America Act, according to the views of the government to keep that compact and maintain that pledge. It is, therefore, not only our constitutional right but our bounden duty to enact legislation for that purpose. I can understand that position. It is not a position with which I agree. I have stated my position over and over again. I do not agree with that position and therefore I voted against my hon. friend from Labelle last night, although, I am bound to say that I think he was logical and consistent and that those on the other side of the House who voted against him and who talked of toleration and the maintenance of pledges were not exactly consistent with what they had said in this House. These tolerant gentlemen who were shouting at us on this side of the House as if we were seeking to take away something from the minority in the Northwest Territories suddenly found themselves afflicted with that intolerance which they ascribed to us and they all stood up manfully and voted against the carrying into effect of the logical result of the argument of the right hon. leader of the government which they had cheered to the echo. I can understand the maintenance of pledges if there are pledges under the constitution which the government is bound to carry out, but I cannot understand merely separating these children in the Northwest Territories without giving any control, and I cannot understand the position of those who in creating that separation turn to the Protestants of this country and say: We have given these gentlemen something which may satisfy them a little, but after all it amounts to nothing and will do them no good in the

end. I have not thought to take away from the minority in the Northwest any of their rights. My position has been put by my opponents in that way over and over again in this House and the country. That is not my position. I have advocated leaving to the people of the Northwest Territories the power to deal with this question because I believe it is the right way to deal with it under the constitution. I have said that if the people of the new provinces in the Northwest are willing to extend the rights of the minority to any extent to which they may see fit I regard that as a matter with which they are to deal and I have not one word of criticism to offer in regard to their action in that respect. That is my position. It seems to me that it is a plain and definite position, but I do not understand the argument and the position of those who say that there are pledges which ought to be regarded as sacred and which ought to be maintained and who at the same moment stand up and vote against my hon. friend from Labelle and my hon. friend from Beauharnois when they seek to enact legislation which would carry out those pledges. Some criticism has been uttered in regard to my own position. It is said that I am too technical, that I pay too much regard to the constitution, that you must look at the constitution not in the light of the exact words which are employed or in the light of the legal meaning which is to be attached to these words, but that you must look at it in some broader, wider and more generous light. I do not know where limitations or qualifications of that kind would lead us. That is my difficulty. You must in the end determine by some rule what the constitution means, and I venture to say that in so far as the interests of minorities in this country are concerned it is very much safer to adhere to the true spirit and meaning of the constitution than to depart from it. If an invasion of the constitution is demanded or is granted to-day in the interest of the minority in this country, who shall know to what extent a demand of that kind may be made at some time in the future on behalf of the majority in this country? For example, would we all be quite willing that the complete and unlimited power of dealing with the British North America Act should be conferred upon this parliament? There may be a good deal of question as to whether or not all of us would concur in that view, and yet, as far as the constitution of these new provinces is concerned, that is a view which has been impressed by the government upon parliament through the law officers of the Crown. Of course, we cannot really give ourselves power by merely legislating, but the ex-Minister of the Interior (Mr. Sifton) and other hon. gentlemen in this House have suggested, as we all know, that if there lacks in parliament the power to pass this law it is the simplest thing in the world to go to the imperial parliament and have that power made good. Well, I doubt a little whether that will be found a good principle to act upon.

Mr. FITZPATRICK. That has not been acted upon by me.

Mr. R. L. BORDEN. It has been acted upon by the hon. ex-Minister of the Interior who has imposed clause 16, No. 2 upon the administration; and if he is able to impose his views upon the administration in that regard who shall tell us that he may not be able to impose his views upon the administration in regard to the matter to which I have just referred? I would ask my hon. friend (Mr. Bourassa) who is a constitutional student and who pays more attention, and properly so, to these matters than do some other hon. gentlemen in this House; I would ask him as a constitutional student: whether or not he would think that a course of that kind would probably tend to the welfare of minorities in this country or to the stability of the Canadian constitution? I would think it much better, everything considered, to stand by the agreement and compact which we made in 1867. It may not be thoroughly satisfactory to us in every respect or on every occasion, but it is dangerous to tamper with it or to meddle with it or to suggest, as has been suggested by that very prominent gentleman to whom I have made reference, that if there is any difficulty in altering the constitution we can easily remedy that difficulty by simply making an application to the imperial parliament. To propose to act upon a suggestion of that kind is not the wisest course in the interests of either the majority or the minority in this country. It is not the wisest course surely in the interest of the minority because we do not know at what moment a test of that kind may be applied as against them; it is not the wisest course in the interest of the majority, because it is not in their interest that there should be any dissatisfaction raised by efforts of that kind which may in the end tell against the welfare of the country. I did not find myself able last night to vote for the motion of my hon. friend from Labelle; I do not find myself able to-night to vote for the motion of my hon. friend (Mr. Bergeron), but if it were simply a question of choice I am not sure that I would not prefer either one or the other of these to the amendment suggested by the government. For the reasons which I have already given I am opposed to both, and I shall therefore be obliged to vote against the motion of my hon. friend from Beauharnois as I have already voted against that of my hon. friend from Labelle.

Mr. FITZPATRICK. Permit me to say that there is not the slightest doubt entertained by this government as to our right to deal with this matter in the way we are dealing with it. I can safely make the

statement that the government as at present constituted would never apply to the imperial authorities for any interference on their part with respect to this matter.

Mr. R. L. BORDEN. I am very glad to have that assurance from the Minister of Justice, but he recollects no doubt that a suggestion was made by my hon. friend from Brandon (Mr. Sifton) and by another very important gentleman on the other side.

An hon. MEMBER. Postmaster General.

Mr. R. L. BORDEN. I am informed that a very prominent member of the administration, the Postmaster General, made the same suggestion with regard to carrying out the intention of the government even if it should be beyond their powers under the British North America Act.

Mr. BRODEUR. I would like to know from my hon. friend (Mr. Bergeron) where we stand with regard to this amendment ? As we are aware two educational systems have been in force in the Northwest Territories ; one under the ordinances from 1884 to 1892 and the other from 1892 to the present date. The motion, as the hon. gentleman admits, is not very well drafted, and if that motion should be adopted I would like to know whether under it we would adopt the educational system of 1884 or the system of 1892, or whether we would adopt another system altogether ?

Mr. BERGERON. In the meantime I would ask my hon. friend (Mr. Brodeur) for which system he stands ?

Mr. BRODEUR. I stand, and the governments stands, for the system which is now in existence in the Northwest Territories. I want to crystallize into the constitution the system just now in existence in the Northwest Territories.

Mr. A. LAVERGNE. Does my hon. friend (Mr. Brodeur) stand for the whole system in the Northwest Territories, or only that part of the system as it applied to separate schools ?

Mr. BRODEUR. It was stated by the leader of the government when the Bill was introduced, it is stated in the amendment proposed by the government, that we stand for the system in existence to-day. When clause 16, No. 1 was introduced we were convinced that it carried out the system now in existence, and which has been recognized by the law. However, in order to put it very clearly and in order that there should be no misunderstanding, we have put into the amended clause the existing ordinances so as to embody these ordinances in the constitution. There is no doubt as to the position of the government on that matter. I presume that now my hon. friend (Mr. Bergeron) will tell us on what ground he stands.

Mr. FITZPATRICK.

Mr. R. L. BORDEN. Is it correct, as stated by my hon. friend from Montmagny—quoting from the speech of the Minister of Inland Revenue—that in 1894 the hon. gentleman (Mr. Brodeur) thought the existing system was a very poor system, and he was very much pained that it did not go far enough ?

Mr. BRODEUR. Yes. I expressed at that time my dissatisfaction with the policy of the Conservative government which refused to disallow these ordinances, when Sir John Thompson, then Prime Minister, himself declared that these ordinances were illegal and ultra vires. I thought the government of Sir John Thompson should have disallowed these ordinances. Now, these ordinances have been accepted by the minority there ; instead of taking proceedings in the court to have these ordinances declared ultra vires they accepted them and they have been working under them since 1892. I do not see why the government to-day should not embody in the constitution these ordinances which have been accepted by the minority since 1892. That is the position taken by the government and there can be no dispute as to that. Will my hon. friend from Beauharnois be good enough to tell me what system his amendment would establish ?

Mr. BERGERON. I will carry out my promise to my hon. friend to give him an answer. In the first place permit me to congratulate him on the facility with which he can change his mind. There is no doubt he was in favour of clause 16, No. 1, because it was proposed by the government of which he is a member and I have not heard that he sent in his resignation. He is now in favour of clause 16, No. 2. I think it was Bismarck who said the language was given us to conceal our thoughts.

Mr. LEMIEUX. Talleyrand.

Mr. BERGERON. Another great man. My hon. friend (Mr. Brodeur) is proving that the cynicism of Talleyrand is true. He is in favour of clause 16, No. 2 to-night, but he does not give his reasons for being in favour of it. However, I will give him my reasons for the faith that is in me. Since the parliament of Canada has declared by a majority of over eighty votes not to adopt section 93 of the British North America Act in the sense mentioned by the leader of the opposition, but to amend it so as to give the minority in the Northwest Territories their rights and privileges ; I am in favour of restoring to that minority their full rights and not a shadow of their rights. I am for the granting of those rights and privileges in their entirety to the minority and in my opinion clause 16, No. 1, guaranteed that because I believe it was putting in force the principle enacted in 1875 of giving separate schools in their entirety to the Catholic minority of the Northwest Territories. I am

opposed to clause 16, No. 2, which the Minister of Inland Revenue accepts, because it does not go any further than the ordinances of 1901, which have deprived the minority of the Northwest of all its privileges and all its rights. The Minister of Inland Revenue has spoken very often of the ordinances of 1892. I intended to refer to that to-day but forgot to do so. They have been referred to in the speeches of my hon. friend and in the organ of the Liberal party in Montreal, 'Le Canada.' My hon. friend is generally brave enough. He was in parliament in 1892. Did he ever stand up in his seat, or did any of his friends from the then leader of the opposition, the Prime Minister of to-day, down in the Liberal party, and ask the government of that day to disallow the ordinances of 1892 ?

Mr. LEMIEUX. What about the hon. gentleman ?

Mr. BERGERON. I did not do anything at all because I accepted the answer of Sir John Thompson as I explained this afternoon. That is my answer, but since then I have not been perambulating through the country accusing any one of not disallowing these Acts as my hon. friends are doing. Even the Solicitor General does that. Having no answer to give they use the cry : Why did they not disallow the ordinance of 1892 ? I took the word of Sir John Thompson, but why did not the Minister of Inland Revenue (Mr. Brodeur) or the premier (Sir Wilfrid Laurier) stand in his place and ask the government of the day why they did not disallow the ordinances of 1892 ? Why did they accuse any one on this side of the House of acts done by the government 13 years ago when they could have had an answer immediately by the man who knew why he did not disallow the ordinance ?

Mr. LEMIEUX. Might not my hon. friend have accepted the word of Sir John Thompson just as my hon. friend (Mr. Bergeron) did ?

Mr. BERGERON. I accepted it and have never said a word since, but my hon. friend is talking about it day after day. Why did they not prompt the government of that time to disallow the ordinance of 1892 ? My hon. friend was in favour of clause 16, No. 1. He has changed his mind and if he wanted to be sincere with the House, to speak from the bottom of his heart, he would say he has accepted clause 16, No. 2 in favour of the minority of the Northwest Territories for which he is going to vote to-night against my amendment which is made sincerely in favour of that minority. He will vote against my amendment and will accept the amendment which comes from the member for Brandon (Mr. Sifton), that champion of Catholic schools in the Northwest Territories.

Mr. BRODEUR. I put a very simple question to my hon. friend from Beauharnois (Mr. Bergeron). I wanted to know from him the nature of the amendment which he is now proposing before the House, and I thought my question being put in a civil way should have been answered in the same way. Instead of that the hon. member for Beauharnois starts to make a political speech, a party speech. I thought he was here not to make party capital out of this question, that he was sincere in the desire to protect and defend the interests of the minority in the Northwest. I thought he was here not to make party capital in the interest of his party which now is in a serious condition with regard to that question, but that he was here to protect and defend the minority. I asked him what was the purport of his motion. Was it for the restoration of the rights of the minority as they existed before 1892, or was it simply for the maintenance of the rights which are now in existence ? He has not been able to give me an answer to that because I do not think his motion as drafted shows whether it contemplates the restoration of the rights of the minority as they were before 1892 or the rights of the minority as they exist to-day. My hon. friend has no policy ; he is not able to proclaim before the country and before the House a policy which can be sustained by a certain number of people. They want simply to make party capital. They want simply to arouse prejudices in some parts of the country—and perish the minority in the Northwest provided they get some political gains in Quebec. If the minority can not get more than what they get to-day, to what party is it due ? It is to the party of my hon. friend who in 1892 refused to give to the minority the protection which the government could then have given to the minority. The minority accepted a state of things, the minority was satisfied with accepting the situation which was made by the policy of the government then supported by my hon. friend. Now if we come to deal with that question, we have to take it as it is to-day and we have to assure to the minority the rights which are now in existence, and that is what we are going to do. But what is the Conservative party doing ? The Conservative party, led by the leader of the opposition (Mr. R. L. Borden, are they willing to protect the minority ? Are they willing to give something to the minority ? No, my hon. friend the leader of the opposition wants to leave everything in the hands of the provincial legislature and does not want to protect in any way, shape or form the rights of the minority. My hon. friend from Beauharnois thinks that he will gain some advantage in the province of Quebec with such appeals to prejudice. My hon. friend from Beauharnois was in the House in 1892. He, who was supporting

the government which refused to give the minority their rights, is the one who should be ashamed to take the position which he is now taking in this House. He wants to know what is the difference between clause 16, No. 1 and clause 16, No. 2. Clause 16, No. 1 was crystallizing into the constitution the rights of the minority as they exist to-day in the Northwest Territories. There was some doubt as to the interpretation of that clause. Some people thought we were going to restore in that way what existed before 1892. That was not the intention. The intention was simply to crystallize into the constitution what was in existence to-day, and in order to make it clear, in order that we should not force that minority to go before the courts, we declared in the most unequivocal way what was the law and what was the protection that the minority was going to receive. That is our position. My hon. friend from Labelle (Mr. Bourassa) moved a resolution. It is very easy to blame those who are at the helm of affairs. It is very easy to throw on them all sorts of suspicion, but if my hon. friend reads his own motion and if that motion was going before the courts perhaps he would find out before the courts that that motion was not at all in this way protecting the minority. We heard the argument of my hon. friend from Jacques Cartier (Mr. Monk), and I am inclined to believe that that hon. member was right to a very large extent in that respect. The motion of my hon. friend is alleged to be for the purpose of protecting the rights of the minority with respect to denominational schools. But where are there denominational schools in the law now existing? Are there any schools of that kind in the Territories to-day? There are not, and my hon. friend, instead of throwing suspicion upon men who have got just as much patriotism as he has—because I am not ready to admit that he has the monopoly of virtue in that respect—should give credit to others for sincerity in their views. I am not going to cast any suspicion upon his motives. I will be more charitable than he. I am not going to make all sorts of assertions with regard to those who differ from me, but shall always discuss the question as such questions should be debated. Let us discuss those questions without making appeals to race and prejudice. Let us not imitate what we see some persons doing to-day. They go into Catholic districts and denounce the right hon. the leader of the government—a man who is just as respectable as the hon. member for Labelle (Mr. Bourassa).

Some hon. MEMBERS. Hear, hear.

Mr. BRODEUR. A man who is devoted to his country and who has done more for his country than my hon. friend from Labelle.

Some hon. MEMBERS. Hear, hear.

Mr. BRODEUR.

Mr. BRODEUR. My hon. friend from East Grey (Mr. Sproule) has gone into some other parts of the country and made there also appeals to racial and religious prejudices. Let us denounce those appeals; let us put an end to those methods, and let us unite in working for the welfare and development of this country.

Mr. BERGERON. To those who do not know how we carry on politics in the province of Quebec to-day, I say we have just had an example of it in this harangue delivered by the hon. Minister of Inland Revenue. For the last eight years in that province every time we try to talk politics, this is the sort of violent appeal we have always heard. Not being able to discuss the questions which we bring before the people, our hon. friends opposite always resort to their favourite policy of carrying a big flag in their hands and waving it. Had I any doubt regarding the efficacy of my amendment, the speech of my hon. friend (Mr. Brodeur) would have dispelled it. My hon. friend well knows what that amendment will signify to the people of the province of Quebec. I have not made any frantic appeals in my argument on that amendment to creed or race or sentiment of any kind. I leave it to the judgment of the House whether I did not speak in a most courteous way. I challenge any man on either side to say the contrary.

Somn hon. MEMBERS. Hear, hear.

Mr. BERGERON. Did I say a word about race or religion in any shape or form? I discussed the question as I understood it and ended my remarks by a motion, in which there is nothing to offend the susceptibilities of anybody, which to my mind, is as clear as day, and which cannot be answered by the hon. gentlemen opposite. There seems to be a concerted plan between my hon. friend the Minister of Justice, who has had to swallow the amendment of the hon. member for Brandon (Mr. Sifton), and my hon. friend the Minister of Inland Revenue, who finds himself in the same humiliating plight. Not being able to controvert this amendment, the Minister of Justice played upon words and tried to cast ridicule on it. Then my hon. friend the Minister of Inland Revenue is very anxious to have some information. He does not quite understand where I want to go, but he himself is prepared, in company with the Minister of Justice, to vote with both hands for the amendment dictated to them by the hon. member for Brandon (Mr. Sifton). The Minister of Inland Revenue is accustomed to go on the hustings of the province of Quebec, and he has his plan of campaign cut and dried. When this question comes to be discussed before the people he will say to them: The Prime Minister was devoured with a desire to give the Catholic minority in the Northwest Territories all the rights and privileges to which they were entitled. But Mr. Borden and Dr. Sproule—those bad

men on the Conservative side—prevented him. That is the way these hon. gentlemen will talk, and when we come with this amendment—

Mr. BELCOURT. Will your friends vote for you?

Mr. BERGERON. According to what I have heard from the Minister of Justice and the Minister of Inland Revenue they are making a strong appeal to their partisans to prevent them voting for it.

Mr. BELCOURT. Will they (Messrs. Borden and Sproule) vote for it?

Mr. BERGERON. I don't expect it.

Mr. A. JOHNSTON. What will my hon. friend say about it when he goes before the people of Quebec?

Mr. BERGERON. I will be all right when I go before my electors, as the Minister of Justice very well knows. I have met these hon. gentlemen opposite before and I am not afraid to meet them again.

Mr. FITZPATRICK. Yes, I have met my hon. friend, and he cannot say I have ever been beaten yet.

Mr. BERGERON. Where ?

Mr. FIZPATRICK. Anywhere.

Mr. BERGERON. I understand it is those fighters who brag the most who are the worst fighters. People who meet me know what that means, and they are not anxious to meet me. Look at the position taken by the Minister of Inland Revenue and let us discuss it in a quiet way. He is in favour of clause 16, No. 2 because, forsooth, he cannot go any further than the ordinances of 1892. Why? Because the Conservative government in 1892 did not disallow those ordinances. Surely he is not serious? Sir John Thompson, as was stated yesterday by my right hon. friend—and it is on record—always treated those ordinances as if they were only of a temporary character and were only to last until the Territories were created into provinces. The creating of new provinces out of the Territories had been talked of for years; and when this took place an educational law would be framed which would do justice to all. If we are to accept the dictum of the Hon. Mr. Brown, which my right hon. friend quoted in his first speech on the 21st of February, and that of Sir Alex. Campbell made in the Senate, the law of 1875 passed by Mr. Mackenzie was to be the law for ever. That was the reason why Mr. Brown was so much opposed to it. He said: If you pass that law now, it will be the law for ever. Yet we are told that because the late Conservative government did not disallow the ordinances of 1892 my brave friend the Minister of Inland Revenue and his government, with a majority of 70 behind them, have not the courage to give to-day to the minority in the Northwest Territories the law of 1875 to which they are entitled, and offer them instead the ordinances of 1901 which give them nothing. That is the position of the hon. Minister of Inland Revenue. Mine is vastly different. I say if you give the minority anything, give it to them fully and generously or not at all. The Minister of Inland Revenue will tell the people of the province of Quebec that this government wanted to give justice to the minority. I say from my seat in the House that we are not giving them justice. And it is because my hon. friend knows that we are not that he has got into such a hot temper. He knows that the position he is taking is untenable before the people of the province of Quebec, and that is why my hon. friend tries to cover his sense of humilitation by working himself into a simulated frenzy.

Mr. SCOTT. Does my hon. friend contend that section 16, No. 2 means nothing ?

Mr. BERGERON. Certainly

Mr. SCOTT. I heard his leader on the platform in London declare that section 16, No. 2 was granting more to the minority in the Northwest than section 16, No. 1.

Mr. BRODEUR. That is the Quebec end of the policy.

Mr. BERGERON. No, Mr. Chairman, we have only one——

Some hon. MEMBERS. Oh, oh.

Mr. BERGERON. I have only one policy. I have been in every province in this Dominion, and wherever I have been my policy has been the same. My chieftain can defend himself. If the hon. gentleman (Mr. Scott) has been accustomed to be dragged after his leader, I can tell him that on this side we are not worked by strings in our leader's hands. We have opinions of our own particularly on questions of this kind. I speak for myself. The hon. gentleman (Mr. Scott) has put a question to me and I desire to answer it. I say that clause 16, No. 2, the clause he is going to vote for, does not give anything to the Catholic minority of the Northwest Territories.

Mr. A. JOHNSTON. I would like to put to the hon. gentleman (Mr. Bergeron) one question. I do not rise to prolong this discussion, but, as my hon. friend from Beauharnois (Mr. Bergeron) has expressed a desire that I should follow him, I propose, in a few words to test his sincerity on this very important question. My hon. friend (Mr. Bergeron) finds fault with the attitude of this side of the House on this particular question. He says he is prepared to go before the people of his province and denounce the attitude of the government on this question. Will he, in his place in this House to-night, say that when the time comes he will go before the people of his province and denounce the attitude of his own leader (Mr. R. L. Borden) and those who surround him ?

Mr. BERGERON. My hon. friend (Mr. A. Johnston) knows the parliamentary usages, does he not ? And that is a very fair and very polite way to answer him. The people of my province are a most intelligent people ; and when they read the proceedings of this House and see that I voted against my leader, they will understand that without any speech.

Some hon. MEMBERS. Oh, oh.

Mr. A. JOHNSTON. That is not a satisfactory——

Mr. LEMIEUX. The hon. gentleman (Mr. Bergeron) agrees to disagree with his leader.

Mr. A. JOHNSTON. I make the statement here—and I do not think the hon. gentleman (Mr. Bergeron) will contradict me—that when the hon. gentleman goes before the people of his province, he will not condemn the attitude of his own leader and those around him.

Mr. BERGERON. One thing is sure—the government which is responsible for this legislation will get a very large share of it too.

Mr. FITZPATRICK. The hon. gentleman threatens us with the province of Quebec and what is going to happen to us when we go before the people there.——

Mr. BERGERON. I do not threaten.

Mr. FITZPATRICK. I want to give the hon. gentleman notice now of a question that he will be called upon to answer when we go before the people there, and that question is, why he kept this amendment back until three days after the London election ?

Mr. BERGERON. That is a very small point for a Minister of Justice.

Some hon. MEMBERS. Give us an answer.

Mr. BERGERON. I cannot oblige the hon. gentleman (Mr. Fitzpatrick) to believe me, but I state here that I had no more thought when I prepared this amendment ten days ago, of the London or the North Oxford election then I have to-day.

Some hon. MEMBERS. Oh, oh.

Mr. BERGERON. And I do not see what possible effect my amendment could have had upon those elections. If the hon. minister knows, I shall be glad if he will tell me.

Mr. FITZPATRICK. There is only one thing that I have to say. Previous to the London election we had two speeches from the opposition—one by the leader from Quebec (Mr. Monk) and the other by the leader of the opposition (Mr. R. L. Borden). Both of them declared that section 16, No. 2, went further than section 16, No. 1, in favour of the minority in the Northwest. The leader of the opposition still holds that view, but the leader from Quebec tells us that practically section 16, No. 2, gives the minority nothing at all.

Mr. BERGERON. If the hon. Minister of Justice wants to be fair, he will state also that I spoke on the second reading of this Bill, and that in the main, I said exactly what I have said to-day—and that was a long time before the elections in North Oxford and London. But as the hon. minister has mentioned that point, will he tell me why we were marking time three weeks before those elections came off ? Who is managing the affairs of this House ? Who is responsible for having legislation brought in here and pressed through the House ? The responsibility rests upon the leader of the House (Sir Wilfrid Laurier) and he is the one who can tell us why we have been for three weeks marking time, instead of going on from day to day with the business which we had in hand.

Mr. BOURASSA. I do not think that this quarrel will throw light upon the legislation before us ; but, having taken the course which I thought the only one that I could take with propriety, I intend to keep to that course without regard to the comments upon my conduct or upon my utterances. So far as the legal strength of my amendment is concerned, I have every respect for the opinion of the Minister of Inland Revenue (Mr. Brodeur), but I may tell that hon. gentleman that I have still more respect for the Minister of Justice as a legal authority. The words of this 'worthless amendment' of which the hon. minister (Mr. Brodeur) speaks were taken from the clause prepared by the Minister of Justice, accepted by the whole government and presented as the means of securing the rights of the Catholic minority in the Northwest and so upheld by the government and their supporters up to the time they changed their policy.

Mr. BRODEUR. The clause prepared by the Minister of Justice included more than the hon. gentleman's (Mr. Bourassa's) amendment.

Mr. BOURASSA. The only difference between the clause prepared by the Minister of Justice and the clause which I proposed last night is that subsection 2 was omitted.

Mr. R. L. BORDEN. And the Minister of Justice (Mr Fitzpatrick) himself said that that was not necessary.

Mr. BOURASSA. This was done upon the strength of a declaration made in this House by the Minister of Justice that, so far as he was concerned, he did not see the necessity of bringing in again the words of the law of 1875, because, by making it perfectly clear that section 93 of the British North America Act should apply, that meant that the Territories could come in as if they

were provinces, and would bring into force the Act of 1875, notwithstanding anything to the contrary contained in any ordinance of the Northwest Territories. I have here the declaration made by the Minister of Justice on the 8th of June to that effect. I have also the declaration made by the Minister of Justice this afternoon, saying that my amendment meant a re-enactment of everything which the hon. member for Beauharnois intends to secure to the minority in the Northwest. Therefore, so far as the legal strength of my amendment is concerned, I rely upon the Minister of Justice who is the legal adviser of this government and of this parliament. It may be that I am mistaken, but, I suppose, if I am mistaken, no suspicion should rest upon me in following so distinguished a legal light rather than following those whom I do not consider legal lights, the ex-Minister of the Interior (Mr. Sifton) and the Minister of Finance (Mr. Fielding). The hon. Minister of Inland Revenue (Mr. Brodeur) tries to continue on his own account the efforts made by some hon. gentlemen on the other side to fasten upon me the reputation of a demagogue. And it was the friendly pleasantry of my hon. friend the Solicitor General (Mr. Lemieux) to couple my name with that of the hon. member for East Grey (Mr. Sproule). But unfortunately for the views of these hon. gentlemen, a quarter of an hour after the Solicitor General and the Minister of Inland Revenue voted with the hon. member for East Grey against the amendment of the hon. member for Labelle (Mr. Bourassa). Mr. Chairman, it is not my habit to discuss—the Solicitor General reminds me that he shirked the vote.

Mr. LEMIEUX. No, my hon. friend ought to be courteous to me; I said I did not vote, because I was paired with an hon. member opposite.

Mr. BOURASSA. That is a little joke, it means simply that if the Solicitor General had been here he would have voted with the hon. member for East Grey. Now I do not mention that to make any political capital. We should be broad enough to consider the value of motions brought before the House, without trying to make capital out of the fact that this or that gentleman votes for them. I have declared that I was opposed to clause 16, No. 2 brought in by the government, and I said that I was standing upon the same ground that the whole Liberal party occupied on the 21st of February; and if I am a demagogue now, and if my name should be coupled with that of the hon. member for East Grey as a brand of discord, then the whole Liberal party, beginning with the Prime Minister and ending with the Minister of Inland Revenue, are brands of discord. As I stated last night, I should not be denounced by Liberals on that ground. They may say I am wrong, that I am mistaken in refusing to follow them in their retreat, but I think they should spare themselves the idea of trying to make political capital among their own friends in the province of Ontario by calling me a French demagogue for what I said in Montreal, in the only speech I have made outside this House, and which the Minister of Inland Revenue has denounced this afternoon as the speech of a demagogue and in which he said, I had charged the Prime Minister with sacrificing the rights of his fellow citizens. I was the only Liberal in the province of Quebec who opposed the campaign which is now conducted by the organs of the Minister of Inland Revenue, stating that there is not enough spirit of justice among the English Protestants of this country to do justice to the minority in the Northwest. When they go to Montreal and Quebec they do not make those broad speeches. Oh no, they say: It is true, the hon. member for Labelle is right, the minority in the Northwest is sacrificed, but it is useless to ask for anything more, and the member for Labelle is only a brand of discord, because the English Protestants of this country are not broad enough to give justice to the minority. What I stated in Montreal is what I stated here last night; because it is unfortunately my habit, as it was during the Boer war, and as it will be as long as I have a seat in this House, to use the same language in my province that I use in this parliament of Canada. Instead of making patriotic orations on St. Jean Baptiste Day in the province of Quebec, if I have anything to say in the defence of my people, I come here and speak openly. Let me tell the Minister of Inland Revenue that I do not seek shelter for my cowardice by saying that the English Protestants of this country are not broad enough to give justice to the minority. I said in Montreal, at the Monument National, in that speech which the Minister of Inland Revenue has denounced as the speech of a demagogue: Gentlemen, those Liberals who tell you that the English-speaking Protestants of this country are not broad enough to render us justice, are calumninating the English-speaking population of Canada. I said in Montreal, and I repeated it last night, that if this question had been put in its true light by the government, there would not have been ten per cent of the members in this House, including both sides, who would not have answered: What the minority is entitled to they shall have everywhere.

Now, the Minister of Inland Revenue has denounced me, he says I am conducting a political agitation, that I am trying to manufacture political capital for myself—or rather he has insinuated that I am trying to make political capital for myself at the expense of my party, and at the expense of the peace of this country. Sir, what were the words of the Minister of Justice? Here again, if the Minister of Inland Revenue does not agree with his colleague the Minister of Jus-

tice, I may be pardoned perhaps if upon a legal question I prefer to take the opinion of the Minister of Justice to that of the Minister of Inland Revenue. What did the Minister of Justice say with reference to the second section 16? He said:

> The second gives effect purely and simply to those provisions of the ordinance of 1901 which are applicable to separate schools, and as I have pointed out in the opinion of Sir John Thompson, the provisions of the ordinance of 1901 which merely reproduces the ordinances of 1887 and 1888 abridge the right of the Roman Catholics in such a way as to give to the minority in a school district the right to a separate school and makes no provision for a majority.

Now, the Minister of Inland Revenue stated positively that the object of this amendment was to perpetuate the existing state of things, and as I said last night and as I repeat to-night, has it not been up to this time the opinion of the vast majority of the Liberal party that, as a matter of fact, this amendment meant to secure the existing state of things in the Northwest? Now we have the deliberate opinion of the Minister of Justice that the only thing which is secured by this clause is the right of Catholics with respect to separate schools. I stated last night, and I proved by documents emanating from the Northwest Territories, that the only separate schools which can exist under the law are reduced to the paltry number of 9, and that there are to-day 150 schools organized by Catholics which receive no guarantee whatever under this amendment, and I have the word of the Minister of Justice for it. Therefore, when the Minister of Inland Revenue says that the object of this amendment is to crystallize the existing system, he is giving a straight denial to the Minister of Justice. Therefore I think I am justified in saying that either the Minister of Inland Revenue or the Minister of Justice is deceiving us and deceiving the minority in the Northwest. When we are told positively by the Minister of Inland Revenue, that the minority in the Northwest have accepted the present amendment, I tell him that they have accepted it just as the people of Quebec accepted it, because they have been positively assured during the last few months by the government supporters and the government press, and privately by members of the government, that the object of this amendment was to secure the whole existing system in the Northwest, majority schools as well as minority schools. Therefore when I have before me the straight declaration of the Minister of Justice, the member of the government who is responsible for this legislation, that this is not true, and that these 150 schools organized in places where Catholics are in a majority, receive no guarantee whatever, and when I have shown by the ordinances that in every district where Catholic will be thus situated they will be in the same position, then I say that the Minister of Inland Revenue has no right to call me a demagogue because I simply state what has been heretofore admitted.

Mr. BRODEUR. I did not say anything of the kind, I simply said that the hon. member has no right to accuse other members of being cowards, as he did last night.

Mr. BOURASSA. The hon. gentleman is reducing his speech to a small proposition now. The hon. gentleman, no more than the Solicitor General, has used the word 'demagogue'; but after their organs have denounced the member for East Grey as a demagogue, he coupled my name with his, and stated that I was fanning religious prejudices in the province of Quebec, that I had no idea of giving justice to the minority in the Northwest. I begin to doubt whether those hon. gentlemen have taken the trouble to learn the meaning of the word 'demagogue.' I know something of my language, I know something of the English language, and I know something of the word 'demagogue,' but after their organs have deman, in the very words of the hon. Minister of Inland Revenue, who tries to fan the prejudices of people without any other object than to serve his own purposes. What did the hon. Minister of Inland Revenue insinuate against me? That, without having regard to the needs of the minority, I had brought in an amendment which meant nothing for the minority, and that I was fanning the prejudices of the Catholic people of Quebec against the Prime Minister. Why, the only kind of appeal I made in the province of Quebec was against the hypocritical campaign carried on by the government organs in that province for the last three months, saying that, as a matter of fact, justice is not rendered to the minority, and that justice cannot be rendered to the minority because the English Liberals did not want to render justice to the minority.

Mr. BRODEUR. No, no. It has never been stated in any Liberal organ in Quebec that the Liberals were not willing to render justice to the minority.

Mr. BOURASSA. It has been stated positively in an article in reply to a letter I sent to 'Le Canada' of Montreal. I have not the paper here, and I do not remember the date, but my hon. friend had better not be too sure about it or we will have a repetition of the event of last night, when it was stated positively that 'Le Canada' had not called the henchmen of hon. gentlemen opposite yellow dogs. It has been stated positively in 'Le Canada' that it was true justice was not rendered to the minority by the Quebec Liberals, that they must take this measure or nothing, because the English-speaking members of the House would not agree to give more. What is the position in the province of Ontario? It was clearly expressed there a short time ago by the hon. Minister of Finance (Mr. Field-

ing). It is, as I stated last night, that the Catholics of this country have rights ; they have moral rights because of their number and because of the necessity of living in harmony with them, that in any province where they have no legal rights they have received separate schools, but in the North-west Territories, where they have legal rights, they will not receive separate schools; and therefore the Dominion government is entitled to the support of the Protestants of this country, because, breaking its pledges, breaking its moral and constitutional obligations, the Liberal government has abandoned the clause which secured separate schools, and is now enacting a new clause which gives separate schools in name and public schools in fact. I have asked the hon. leader of the Conservative party if he thought that he was working for the good of the country by adopting the position which he has assumed, under some legal opinion which I respect, but which I think that hon. gentleman would never have entertained if he had not been forced to adopt this attitude by the wing of the party—I will not say yellow dogs, in the words of the government organs to which I have referred, but I will simply say, in demagogic language, by the members of the Orange wing of the Tory party. I have made my statement against the Conservative party, and now I make my statement against the Liberal party. I say that the Liberal party has not fulfilled its duty by bowing to that campaign which has been raised by the Tory party, or by apologizing for the position it has taken. The spectacle of one party apologizing to the other and trying to give the least possible measure of justice to the minority because of its opponents being able to take advantage of it, is not one which is apt to produce that conciliation and harmony which the right hon. Prime Minister sincerely has been trying to bring about in this country for the last thirty years. That was the only kind of denunciation that I uttered against the Liberal party, and I still adhere to it. I admit it puts me in this strange position, that one day I am against one party and another day I am against the other party. I admit that it is a dangerous position, that it is a position which opens the door to the narrow and small argument, which has been used by the hon. Minister of Inland Revenue, that I want to pose as a virtuous man. Last night my hon. friend the Solicitor General (Mr. Lemieux) was trying to build a pedestal of virtue to his party and the government, because he said it stood between the hon. member or East Grey and the hon. member for Labelle. But a moment later the government were voting with the hon. member for East Grey, and the Solicitor General and the member for East Grey were joining in a tender embrace. I might follow in the footsteps of my hon. friend the Solicitor General and build a pedestal to myself between this demagogic government and those demagogic people who voted with them. I could stand in the middle as the only virtuous man in this parliament. But I am not doing that, and if my hon. friends had spared their insinuations and their accusations—their false accusations against me—if they had contented themselves with defending their position against my argument, if they had contented themselves with proving the falsity of my argument, I would have contented myself with trying to make my position as good as possible. But the Minister of Inland Revenue and the Solicitor General know what my position towards the government is. They know that I have been a Liberal as long as they have. They know that I have fought for the Liberal party, they know that I have never received—nor do I expect to receive—a favour from the Liberal party, they know that I have conducted all my elections at my own expense, and that I have not received a cent for making speeches in support of that party. While I am ready to stand for the principles of the Liberal party as long as the Liberal party is true to its principles, I am Liberal enough and attached enough to the traditions of my party not to sacrifice the views which commend themselves to my judgment because any small mob may try to frighten me. My hon. friend the Solicitor General has gone back to past history. I will not follow him in those steps. I will not trace him back to the history of his ancestors, I will not even trace him back in his own history, but why he should pose as a moderate man and charge me with being a French extremist and the representative of the minority of extremists in the province of Quebec, is something that I cannot understand. I have always been the same kind of a man. I have always stood for the policy of conciliation, which the hon. gentleman spoke of last night ; I have always stood for the policy of maintaining British institutions, and while I have not been given to making loyal speeches, speeches in exaltation of the British Crown, I have never tried to get applause in any French Canadian city by making speeches in favour of the independence of Canada. I have never been in the habit of holding conferences at the Club National for the justification of Nihilism, as the hon. Minister of Inland Revenue did.

Mr. BRODEUR. I deny that entirely. If my hon. friend wants to go into ancient history, we can do the same, too.

Mr. BOURASSA. Certainly, I am ready. I have nothing to protect but myself, and I find myself so small that it is very easy to protect myself. My hon. friend professes to be insulted. Well, of course, I admit that my way of putting things is perhaps harder than his words are. I do not proceed by that kind of insinuation which consists of standing upon a pedestal of virtue and lec-

turing people for deeds they never committed, accusing them of having used words which they never uttered, painting them in colours that they never assumed. That was the kind of argument which was used by the hon. Minister of Inland Revenue against me to-night. It cannot harm me, but I would rather receive a blow straight in the face in regard to something that I had done than that mild and polite insinuations should be made in regard to something that I have never done. I will never try to pose as a man of moderate views, as a man of great balance of mind when out of my own province, leaving to my organs the task of doing the demagogie campaign that I dare not do myself; nor will I try to shelter myself by saying that the English-speaking majority are not courageous enough to stand by the measure of justice which the government is granting.

And now, Mr. Chairman, it is not my intention to detain the committee longer. I beg pardon if I may have been somewhat out of order, but the fact is that for the past two days the greater part of the discussion has been out of order. As I am about alone in my own party except for my good and loyal friend from Montmagny (Mr. A. Lavergne) I am sometimes obliged to say a little more for myself than if I had some devoted followers who would be always ready to take up my defence. For the consolation of my good friend the Minister of Inland Revenue, I shall quote an article which was published in 'Le Canada' on the 9th of June, 1905. I could follow up the files of that journal and find many more articles like it, because I distinctly remember one to which I replied stating: You are calumniating the English-speaking members of the House of Commons, for I feel sure that if the question were put straight to them they would be ready to support the government in any measure of justice. Here is the article from 'Le Canada' which I will read in French first and then translate into English:

Il n'y avait donc que deux alternatives; tenir ferme et se faire battre à la Chambre des Communes; puis voir le gouvernement Laurier remplacé, comme le disait carrément l'hon. M. Fielding, par un gouvernement tory, exclusivement protestant.

Ou bien accepter l'amendement Sifton comme un compromis, nous garantissant un minimum de droits, qui est le maximum de ce que les députés libéraux anglais consentent à nous accorder.

Et pourtant, aujourd'hui, ceux qui lisent les comptes rendus des discours prononcés pendant la campagne électorale qui fait rage à Lôndon et à Oxford Nord, peuvent contater deux choses:

10. Que l'article 16 originaire n'aurait pas été accepté par le parti conservateur ni même par la majorité des libéraux. Parmi les collègues même de Sir Wilfrid, il y a eu une défection sensationnelle, celle de M. Sifton, qui entraîne avec lui probablement tous les députés libéraux de l'Ouest.

Mr. BOURASSA.

I translate.

There were only two alternatives: be firm and be beaten in the House of Commons and see the Laurier government put aside and as squarely stated by the Hon. Mr. Fielding, a Tory government, exclusively Protestant, taking its place. Or, accept the Sifton amendment as a compromise granting the minimum of rights which is the maximum that the English Liberal members are consenting to grant us.

There is another paragraph which says:

The first clause 16 was not accepted by the Conservative party, not even by a majority of the Liberals; among the colleagues of Sir Wilfrid Laurier there was a sensational defection, that is, Mr. Sifton who probably would have carried with him all the Liberal members of the west.

Now, Sir, as I stated last night the only effect of the second clause 16 is to guarantee the existence of so-called Catholic schools where the Catholics are in the minority. It grants nothing where the Catholics are in a majority. This point has been admitted by the Minister of Justice, it has been admitted by the Prime Minister, it was published by me without contradiction—there was some contradiction at first but afterwards it was admitted I was right —'Le Canada' for one month had heard its leaders admitting that this amendment deprived the Catholics of their rights so far as 150 out of their 160 schools in the Northwest is concerned, but 'Le Canada' still tried to create the impression on the people of the province of Quebec that the English members of this House of Commons would not grant justice to these 150 schools as well as to the other nine schools. This is what I have denounced, perhaps I did not express it in as strong and heated language as I might use—but I certainly have denounced it as more apt to raise a feeling in the province of Quebec against the English population of this country than anything I can say here. It was represented that although it were demonstrated to the English Liberal members of the House of Commons that they were as a matter of fact sacrificing the rights of nine-tenths of the Catholics of the Northwest, they would still exact their pound of flesh and refuse justice to nine-tenths of the Catholic population. I have denounced that contention in Montreal, I reiterated my denunciation here last night. These are the only two speeches of mine upon which the Minister of Inland Revenue and the Solicitor General can build up their virtuous appeal in favour of their moderation and against my demagogy. I have stated in Montreal, as I have stated here, that I did not entertain such an opinion of my English-speaking colleagues in this House, and I said that I was convinced that if the government would show them that the effect of the amendment would be to deprive nine-tenths of the Catholics of the Northwest of the rights promised them—I do not refer to first clause 16 but to the second, it is my deep conviction that the

Liberal members of this House and a large portion of the English Conservative members would have said : at least if we give something to one-tenth of the Catholics let us also give it to the remaining nine-tenths. I still adhere to that opinion, and I say that trying to make the people of the province of Quebec feel that the English Liberals in this House are so unreasonable as to be unwilling to grant that measure of justice, is not the proper means to take to bring about that feeling of conciliation and fair-play for which the Minister of Inland Revenue and the Solicitor General are so anxious now, and which they are so much afraid I am going to disturb. Mr. Chairman, I say here what I say elsewhere, nothing more and nothing less—I am wrong ; I say a little more here than I would say in the province of Quebec.

Mr. SPROULE. I do not rise to continue the debate but merely to ask a question, and before doing so I congratulate the leader of the third party on the vigorous reply he has given to the Minister of Inland Revenue and the Solicitor General. I naturally feel a little more pride and interest in the hon. member (Mr. Bourassa) since the information was given me last night—which I did not know before—by the Solicitor General, that the hon. member for Labelle (Mr. Bourassa) and the hon. member for Montmagny (Mr. A. Lavergne) and the hon. member for East Grey (Mr. Sproule) though working from different standpoints were working for the same end, and that therefore we were naturally allies. That idea dawned on me then for the first time and I thought it was due to myself that I should cross the floor and fraternize with the other members of the party. I congratulate the leader of that party on the vigour his party has shown to night notwithstanding its youth, and it seems to me there is a more hopeful outlook for it in the future. As there seems to be a desire to get proper legal interpretations of certain clauses, I wish to put a question. In view of the emphatic statement made by the hon. member for Centre York (Mr. Campbell) when we were in North Oxford with regard to the meaning of clause 16, No. 2, I wish to get an interpretation from the Minister of Justice. The hon. member for Centre York (Mr. Campbell) stated emphatically that clause 16, No. 2, left the new province free to amend this educational system and this Act, or, to substitute any other Act they desired and do away with this law entirely. The hon. gentleman (Mr. Campbell) drew my attention to this portion of the clause which he said justified his statement.

In the appropriation by the legislature or distribution by the government of the province of any money for the support of schools organized and carried on in accordance with the said chapter 29, or any Act passed in amendment thereof, or any substitution therefor, there shall be no discrimination whatever, &c.

The hon. member (Mr. Campbell) declared that this clause justified him in saying that the province was free to amend this Act in any way it wished or to substitute any other Act for it. I then told the member for Centre York that when we reached the House of Commons I would endeavour to get a higher authority than he to interpret this clause, and in accordance with that promise I wish now to ask the Minister of Justice, if the hon. member (Mr. Campbell) was justified in the statement he made in North Oxford.

Mr. FITZPATRICK. My hon. friend will remember that I read a statement in the House so that there might be no doubt whatever as to my opinion in respect to the construction that should be put on clause 16, No. 2. I cannot do better now than to ask my hon. friend (Mr. Sproule) to do me the honour of reading that statement.

Mr. SPROULE. Am I to assume that the Minister of Justice dissents entirely from the interpretation put on the clause by the hon. member for Centre York ?

Mr. FITZPATRICK. It is rather a dangerous thing to assume too much.

Some hon. MEMBERS. Question.

Mr. SPROULE. Am I correct in that assumption or am I correct in the assumption that the hon. member (Mr. Campbell) was right ?

Some hon. MEMBERS. Question.

Mr. SPROULE. The Minister of Justice does not deign to put his interpretation alongside the interpretation of the member for Centre York.

Mr. MONK. I return to what I mentioned a moment ago. Subsection 1, of section 16, No. 2, makes provision for the protection of the existing rights of the Catholic minority when they are in a minority in a school district, but it makes no provision for the protection of the majority where the majority happens to be Catholics, in case the legislature should wish to interfere with their rights. Has my hon. friend given that matter any attention ?

Mr. FITZPATRICK. Oh, yes.

Mr. MONK. And is it the intention of the government to modify that section in order to meet that case ?

Mr. FITZPATRICK. I think we will deal with the amendment now proposed if my hon. friend will permit me.

Mr. PORTER. Before this question is submitted to a vote, inasmuch as the election in North Oxford has been referred to in this debate and perhaps some hon. members in this House have a very forcible recollection of the proceedings in that riding during that contest, and inasmuch as I feel it my duty to call to your attention and to

the attention of the committee the facts, as I believe, that there is present in the committee now, taking part in the deliberations of the committee, and there has been for some days in the House, taking part in the deliberations of the House, an hon. member who, according to my judgment, has forfeited his right as an hon. gentleman to longer continue to occupy a seat in this committee or in this House. It may be a source of surprise to some hon. members that I should make this statement, it may be a matter of curiosity to others. I am bound to say that I do not state that to be the fact from a legal standpoint at all. The position of the hon. member to whom I refer, the hon. member for Cape Breton and Victoria (Mr. D. D. McKenzie) is one which he has brought on himself voluntarily, it is a peculiar one. His retirement, the forfeiture of his seat cannot be enforced by law or by the rules and regulations or procedure of this House, it rests entirely with the hon. member to say before this House whether he recognizes those principles of honour which should characterize the conduct of a public man either in this House or out of this House when speaking on a public occasion. It is, I say, therefore a matter entirely with the hon. member himself as to whether he appreciates, fully appreciates——

Mr. ALEX. JOHNSTON. I rise to a point of order. I desire to ask through the chairman what clause of the Bill the hon. member for Hastings is discussing ?

Mr. SPROULE. Clause 16, No. 2.

Mr. PORTER. I think I stated my position that there was in the chamber an hon. member who shortly will be called upon to vote and I am questioning that right——

Mr. DEPUTY SPEAKER. The hon. member must discuss matters relative to the subject before the chair. If it is a question of privilege it is different altogether.

Mr. PORTER. Quite so, the matter I am speaking to has reference entirely to a difference of opinion between my hon. friend and myself as to this very clause 16.

Some hon. MEMBERS. Order, order.

Sir WILFRID LAURIER. Chair.

Mr. PORTER. I think I might be permitted to go on without going to the extreme of moving for the rising of the committee because it is a matter of which I have given my hon. friend notice and of which I have spoken to the Prime Minister in reference to bringing it before the House. I was told by the Prime Minister that when clause 12 was under discussion would be the best time to bring it up.

Sir WILFRID LAURIER. The hon. gentleman told me the other day that he wanted to have a point of difference between him and the member for Cape Breton and Victoria (Mr. D. D. McKenzie) settled. I forget the time at which he wanted to discuss it, but I told him that I thought he might find an opportunity when we were in committee on this Bill, but if the hon. gentleman had told me that he wanted to put in jeopardy the seat of the hon. gentleman or to question his right to take part in the proceedings, and to vote upon the question now before the House, certainly I would not have told him what I told him. I understood the hon. gentleman wanted to have just a little passage at arms between himself and the hon. member for Victoria such as the hon. member for East Grey (Mr. Sproule) has attempted to have with the member for Centre York (Mr. Campbell), but if the hon. gentleman had stated that he wanted to put in question the right of an hon. member to a seat in this House or to take part in the proceedings or to vote, my hon. friend must realize that a question of this kind cannot be taken up at this stage.

Mr. PORTER. I did not take the position, nor do I intend to put in jeopardy the seat of the hon. member to whom I have referred; that is a matter resting with him. It rests with him as to whether he shall jeopardize his seat.

Some hon. MEMBERS. Order.

Sir WILFRID LAURIER. I do not see any difference.

Mr. PORTER. But I do claim I have a right inasmuch as there is a difference of opinion between the hon. member and myself with regard to clause——

Some hon. MEMBERS. Order, order.

Sir WILFRID LAURIER. Chair.

Mr. DEPUTY SPEAKER. My ruling is that it is not relevant to the question. We are discussing clause 16 and the amendment thereto. This can have no bearing on that.

Mr. PORTER. I move that the committee rise.

Sir WILFRID LAURIER. I wish to point out to my hon. friend, and I think he will agree, that he has no right on such a motion to speak of anything else than the question before the House.

Mr. PORTER. I move that the committee rise, and the reason I do so is that the committee is not at the present moment properly constituted, that the committee ought not to proceed further constituted as it is at the present moment for the reason I have already pointed out.

Mr. DEPUTY SPEAKER. I rule that motion is out of order.

Mr. PORTER. What is out of order ?

Mr. DEPUTY SPEAKER. Raising the question that the committee is not properly constituted. I declare that out of order.

Mr. PORTER. I move upon general grounds.

Mr. DEPUTY SPEAKER. The hon. member cannot move a second motion without some proceeding intervening, so I will call the hon. member to order.

Mr. R. L. BORDEN. I never heard any such rule as that in committee; that is a rule for the House.

Mr. DEPUTY SPEAKER. The rules in committee are those that prevail in the House.

Mr. R. L. BORDEN. I beg pardon, I think that in committee an hon. member can speak as often as he likes ; in the House he is confined to the particular question.

Sir WILFRID LAURIER. He cannot move a second motion.

Mr. R. L. BORDEN. If the other one is to be characterized in the way the chairman has mentioned. He can move again, he can move motions alternately, he can move as often as he likes. A member can move that the committee rise and report progress and then move that the committee rise, and then again that the committee rise and report progress and keep that up indefinitely.

Sir WILFRID LAURIER. My hon. friend knows the hon. member cannot move two motions in sucession.

Mr. R. L. BORDEN. I beg pardon, I thought he could provided he does not move the same motion twice in succession.

Sir WILFRID LAURIER. Does my hon. friend pretend that when a member has moved that the committee rise he can, while still on his feet, move that the committee report progress ?

Mr. R. L. BORDEN. Certainly he can, not in the House but in the committee where he can speak as often as he likes. You can move as many motions as you like provided they are not of the same character. You cannot make the same motion twice in succession, that is the only restriction in committee. If, for example, I move an amendment in this committee to clause 16, that need not prevent me moving another and still another to the same clause, providing they are not of the same character.

Mr. PATERSON. And not all running at the same time.

Mr. R. L. BORDEN. I did not know that any of them were going to run. My hon. friend is trying to be jocular, but his jocularity is rather ponderous. I do not know of any rule which would prevent any hon. member discussing any question on the motion that the committee rise. I have always understood that this motion in committee corresponds to a motion to adjourn the House, and that the mover may debate upon it any matter he sees fit and give any reason he thinks proper why the committee should rise.

Sir WILFRID LAURIER. I have not the authorities at hand, but if my hon. friend will take the trouble to look at the books—I have heard it discussed so often in 1885—I am quite certain he will find that upon a motion that the committee rise, the subject under discussion cannot be departed from, but must continue to be discussed.

Mr. STOCKTON. The Chairman only ruled that the reasons assigned by the mover of the resolution were out of order—not that the resolution itself was out of order. The mover of the resolution may give different reasons that will be in accord with the order of the committee.

Sir WILFRID LAURIER. He cannot debate anything but the question before the House. Moreover the hon. member for Hastings (Mr. Porter) is stating that the object of his motion is to declare that the committee is not properly constituted because the hon. member for Cape Breton (Mr. McKenzie) is not eligible. This is clearly a question of privilege and not one which can be discussed on this motion.

Mr. STOCKTON. That is one of the reasons, but not all the reasons. The moment the Chairman rules that the reason given by the hon. member for Hastings is out of order, he can drop that and go on with another reason.

Mr. FIELDING. Provided it relates to the subject before the committee.

Mr. STOCKTON. And the motion to adjourn, certainly.

Mr. PORTER. I have only made one motion before the committee, and can give one reason or half a dozen for making it. Whether one reason is good and another bad or not is a matter the committee may deal with. But I do submit that my motion being before the Chair, I have the right to give such reasons as occur to me in support of it.

Mr. DEPUTY SPEAKER. I have held that the question raised by the hon. gentleman is not relevant to the subject under discussion.

Mr. R. L. BORDEN. What question ?

Mr. DEPUTY SPEAKER. Regarding the hon. member for Cape Breton and Victoria (Mr. D. D. McKenzie). If you wish to appeal from my decision, the hon. gentleman is at libery to do so.

Mr. PORTER. I do not desire to appeal from your decision, but I do not think the Chair quite appreciates the position.

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. The hon. gentleman knows that he cannot discuss my

decision. If he wishes to appeal, the course is open to him.

Mr. PORTER. I do not desire to question your decision and not doing that, I am proceeding to urge other reasons and surely I have the right to do so.

Mr. DEPUTY SPEAKER. Provided they are relevant to the question before the House.

Mr. PORTER. I take the position with regard to this clause 16 under discussion, that when it was introduced and came up for debate, on more than one occasion the right hon. the First Minister was interrogated by different members on this side as to whether or not he or members of his cabinet had not consulted with the Papal Ablegate regarding the educational paragraphs of this clause. As often as I heard that question asked, just so often did I see the right hon. gentleman remain silent in his seat and refuse to deny the truth of that statement. I have taken occasion to repeat that statement outside of the House, and I believe that the statement I have just made and the statement I made outside of the House is a true statement. My utterances with regard to that matter were reported to some extent in the 'Globe' newspaper in its issue of the 12th June last.

Mr. DEPUTY SPEAKER. I am afraid the hon. gentleman is wandering back to what I declared out of order. We are now studying one of the clauses of the Bill before us and we cannot go beyond it. If the hon. gentleman wishes to appeal from my decision, I shall report to the Speaker, and he can take the sense of the House, but at present he must confine himself to the clause under discussion and not wander to matters not relevant.

Mr. R. L. BORDEN. Is not this quite as relevant as the discussion of meetings held in Ontario and Quebec and which were taken part in by the hon. Minister of Inland Revenue (Mr. Brodeur) and the hon. member for Labelle (Mr. Bourassa)?

Mr. DEPUTY SPEAKER. The hon. member for Labelle said that what has taken place here the two days past was out of order, but no objection was raised. In this case, however, objection being raised, I have to give a ruling.

Mr. SPROULE. I rise to a point of order. We are discussing clause 16, which is the educational clause. A statement has been made with regard to what has taken place in this House concerning that clause. That statement was denied by the hon. member for Cape Breton (Mr. McKenzie). The hon. member for Hastings (Mr. Porter) reiterated his statement. When discussing clause 16, is it not entirely in order to discuss that question of fact without any motion whatever? According to my reading of the proper procedure of parliament, it is entirely in order.

Mr. D. D. McKENZIE. It must not be understood that anything said here to prevent this discussion has received any sanction from myself. I am only too happy to meet the hon. gentleman. I am just as ready to meet him here as I was in North Oxford. If there be any way in which he can properly bring this matter up, I shall be only to happy to reply to him.

Mr. DEPUTY SPEAKER. If the committee is willing that the question should be settled between the two hon. gentlemen, I am perfectly satisfied.

Mr. PORTER. The hon. member having expressed himself as quite ready——

Mr. DEPUTY SPEAKER. I understand the hon. gentleman to withdraw his motion that the committee rise.

Mr. PORTER. That is all right, Mr. Chairman. I was about to relate to the committee the circumstances under which this difference between the hon. member for Cape Breton (Mr. McKenzie) and myself arose, and I made reference to that fact that there had been an election in North Oxford, the results of which both sides have cause to remember. During that election I was invited by the Conservative party to take part in discussing the issue, or what I conceived to be the only issue before the electorate in that contest, and that was the effect of this section 16 in regard to the education or educational rights in the new provinces about to be created. I do not intend now to enter into any lengthy discussion as to my views on this question. I have already expressed those views in this House, and having listened attentively to the debate since then, as well as to that which took place before I spoke, I have not heard any arguments which have led me to change my opinion. All I desire to do is to prove the position I took in North Oxford which was disputed by the hon. member for Cape Breton (Mr. McKenzie). The meeting at which the difference of opinion between us arose took place at a place called Braemar in North Oxford. The only report of that meeting that I have seen was published in the 'Globe' on June 12. This report it would seem must have been prepared, or at least inspired, by the hon. member for Cape Breton. I say that for this reason——

Mr. D. D. McKENZIE. The hon. member (Mr. Porter) is entirely wrong. I had nothing to do with the report.

Mr. PORTER. That the audience at that place was composed entirely of farmers in the vicinity of Braemar, except the hon. gentleman (Mr. D. D. McKenzie), a gentleman who accompanied him, Dr. Welford, who accompanied me, and myself. There was not, I venture to say, a single man at that meeting who would have written such a

report as this except one of these four; and neither Dr. Welford nor myself have been in the habit of writing political articles for the 'Globe' newspaper. The report of that meeting in the 'Globe' is as follows:

(Special despatch to the 'Globe.')

Woodstock, June 10.—The Liberals succeeded in capturing a Conservative meeting at Braemar, North Oxford, last night, and the proceedings at times were unusually lively. The Tory speakers were Dr. Welford, of Woodstock, and E. Gus Porter, M.P., while Mr. D. D. Mckenzie, M.P., of Cape Breton, and Mr. J. S. Mackay, of Woodstock, went out on behalf of the opposition. There was some quibbling at the outset as to the order of speaking, and the time to be occupied. Ultimately Dr. Welford spoke for about ten minutes. Messrs. Mackay and McKenzie occupied three-quarters of an hour between them, and Mr. Porter addressed the meeting for an hour and a half. Mr. McKenzie made a very forcible speech and quite carried the audience with him, and after Mr. Porter had spoken asked for two minutes in which to answer him. The Conservatives objected, but a Liberal stalwart named John Mackay said the audience wanted to hear the matter out, even if they had to remain till morning. The Liberals obtained the upper hand, and Mr. McKenzie was able to speak for another three-quarters of an hour.

There were some warm passages in the course of the proceedings, notably when Mr. Porter claimed that Sir Wilfrid Laurier had been interrogated on the floor of the House as to whether there had been any negotiations between him and Mons. Sbarretti. Mr. McKenzie explained that when Mr. Porter said that he said what he knew was untrue, and he added: I brand as a slanderer and a coward the man who would make such a statement as that.

Mr. Porter challenged Mr. McKenzie by saying that if he could not prove from the pages of 'Hansard' that that was so, he would resign his seat in parliament, if Mr. McKenzie would, on the other hand, agree to resign his seat if Mr. Porter proved that it was on the pages of 'Hansard.' Mr. McKenzie asserted that if Mr. Porter could prove his point he would resign his seat the next moment, and he added that he would take the first opportunity in the House of Commons to ask Mr. Porter to substantiate his statement.

The occurrence of which this purports to be an account took place on June 9 inst. It is now the 29th. That is to say that twenty days have elapsed since the hon. gentleman (Mr. D. D. McKenzie) undertook at the first opportunity to arraign me in this House to prove the statement that I made on that occasion. I leave it to the hon. gentlemen and this committee to say whether I have been arraigned or not. However, fearing that the hon. gentlemen might forget his undertaking with the audience at Braemar I wrote the hon. gentleman a letter, as I thought I had a right to do, having sat in this House waiting for him to bring the question up. This is the letter I wrote:

House of Commons,
June 21, 1905.

Dear Sir,—As some eight or nine days have elapsed since you took occasion to say at a public meeting held at Braemar, North Oxford that you would take the first opportunity in the House of Commons to ask me to substantiate my statement 'that Sir Wilfrid Laurier had been interrogated on the floor of the House as to whether there had been any consultations between him and Monsigneur Sbarretti in regard to the school clauses of the Autonomy Bill and that Sir Wilfrid had not when so interrogated denied having such consultations and that you would resign your seat if I could show from 'Hansard' that my statement was true.' I feel it to be my privilege and duty since I have regularly attended the House since then by affording you the opportunity to carry out your promise which you have failed to do although you have been in the House—to now bring the matter to the attention of the House myself and beg to advise you that I shall do so at the first favourable opportunity presented when I am in the House.

Yours truly,
(Sgd.) E. GUSS PORTER.

D. D. McKenzie, Esq., M.P.,
House of Commons.

So, notwithstanding the promise and the bold statement made by the hon. gentlemen at that time that he would arraign me in this House on that question, he has not seen fit to do so. Therefore, as I wrote the hon. gentleman, I take the first opportunity to mention this matter. I do not propose to deal with this article so far as it reports the effect of the meeting, the capturing of the meeting or how it was captured. I could do so, perhaps, not to the advantage of the hon. member. That is all beside the question. But there is a straight issue between the hon. gentleman and myself as to whether the statement I made at that meeting is justified by the record of 'Hansard' or not. Let me refer to the speech made by the hon. member for North Toronto (Mr. Foster) on April 6 and reported in 'Hansard' at page 4414 and 4415. The hon. member for North Toronto said:

There were certain things that my right hon. friend, however, did not say and they are quite as remarkable as the things that he did say. He has been told times without number to his face in this House and he has not once risen to deny it, it has been very courteously brought to his attention to-day and he has thoroughly ignored it, that before he brought down his educational clause on February 21, 1905, there had been numerous conferences between himself and Monseigneur Sbarretti with reference to the provisions of that Bill. There is no denial yet. Mr. Speaker, I ask you, I ask this House. I ask the people of this country if it has come to this that in Canada the representative of any church I dont care what it is——

Then follows an interruption by an hon. member and the hon. member for North Toronto continues:

Through its accredited highest head must be visited by the premier of this country before be dares to bring down the policy——

Another interruption.

The right hon. gentleman has not denied it yet. Then I wish to ask one other question to aid this thoughtfulness that I am sure is present in this country at the present day. Is it

proper for the right hon. gentleman as leader of a government to have frequent conferences with the Papal Ablegate in Ottawa with reference to a dominant part of his policy in creating new provinces, and to give the go-by of the representatives of the people in the government?

Mr. Speaker, the right hon. gentleman did not consult the Minister of the Interior who represented the Northwest Territories, who was their sole representative in the cabinet in reference to the educational clauses of this Bill, but he sits in abject silence and allows me to state here in the House by that silence, that he did take care to consult the Papal delegate here in Ottawa. The right hon. leader of the government did not consult the hon. Minister of Finance (Mr. Fielding). Will the right hon. gentleman tell me now whether he consulted on that educational clause more frequently the one than the other, his Postmaster General or the Papal Ablegate ?

He goes further :

Why all this fuss about such a thing as that, but, when it comes to a question of infants in arms, the wards of my right hon. friend, when their manhood and their rights for ever are to be given to them or abridged from them, my right hon. friend ignores the Minister of the Interior, ignores other members of his cabinet, but consults the Papal Ablegate.

I also desire to refer the committee to the speech of the hon. the leader of the opposition as found in 'Hansard' on page 4006 :

I have nothing to say with regard to the position which is said to have been assumed by His Excellency Monseigneur Sbarretti. He is not in any sense responsible to this parliament, he is responsible only to his ecclesiastical superiors in authority. The only persons who are in any way responsible to this parliament are the government of this country, and I thought that my right hon. friend to-day might have gone a little further than he did go. He knows as well as any one of the rest of us that it has been rumoured throughout this country, not only rumoured but stated in the publis press, that there were negotiations with His Excellency with regard to education in the Northwest Territories, if not in Manitoba. My right hon. friend did not see fit to touch that question at all to-day, and I suppose when he thinks a proper occasion arises he will deal with it. But in the meantime I may call his attention to the fact that the statements are being made in the press of the country upon what authority I do not know. All I do know is that when statements made in a very much less direct manner and on very slight foundation, were current in 1895 and 1896 with regard to the Conservative administration of those days, my hon. friend was always ready to come forward and ask for ministerial explanations, and if necessary to move the adjournment of the House in order that they might be discussed.

In view of the attitude which he saw fit to adopt ten years ago, we might have expected that he would have gone a little further to-day in calling the attention of the House to these circumstances. As I said before, the matter may perhaps require to be discussed a little further. I was not aware that the right hon. gentleman intended to bring it up to-day in this somewhat extended form. If necessary, it may be brought up and discussed on a future occasion.

I refer also to the speech made by the hon. member for West Toronto (Mr. Osler), which I find on page 4194 of the 'Hansard':

It has been charged here to-day, and it has not been denied. that the Prime Minister was in constant consultation with the Papal Ablegate in the framing of these educational clauses. I will give the Prime Minister an opoprtunity to deny that now, and if he denies it I will withdraw all I am going to say ; I will not proceed any more.

On page 4195 he is reported to have said :

It took a month to have that clause changed. It was not in the Prime Minister's power to change it apparently to suit his own views within that time. There was a power outside the Prime Minister and the Minister of Justice who had to be consulted before the admission was made that that clause might be changed.

I also refer to the speech of the hon. member for South York (Mr. W. F. Maclean) which is found on the 'Hansard' on page 4148 :

I want to know if the Minister of Justice had night interviews or any other kind of interviews with the Papal Ablegate. I want to know if the Secretary of State has been in communication with the Papal Ablegate. I want to know if it is true that the Secretary of State, the Minister of Justice, the Prime Minister and the Papal Ablegate were daily holding interviews about this school question and discussing the matter in all its shapes and forms, while the people of the west and the minister from the west and Mr. Haultain were ignored. Is there any wonder why the country has been fanned into a flame when the people discover these things ? I would like to know if the Minister of Finance and the Minister of the Interior had any interviews with the Papal Ablegate? I do not suppose they will admit it, but all the other gentlemen have to admit it ; the Prime Minister had an opportunity of denying it and he did not deny it, and his colleague who followed him was not able to deny it.

I also refer to the statement made by the hon. member for East Grey (Mr. Sproule) as reported in the 'Hansard' on page 4032 :

Can we not believe what appears in the newspapers in this city from day to day that every time there has been a crisis in connection with this Bill the Prime Minister has visited that Papal Delegate, and every change that has been made has been made with his knowledge and on his advice. We are told that the Bill was submitted to him and that the Bill was satisfactory to him, or otherwise it would not have been introduced into this House.

Further on he says :

We find that the provisions of the Bill which were submitted to that Ablegate, if we can believe what appears in the press, fasten separate schools on these new provinces for all time to come. That Bill was only accepted by the members from the west when some amendments were proposed, which were submitted to the Papal Delegate and approved of by him before they were submitted to parliament.

I refer also to the statement of the Minister of Justice—only in the course of argument I am bound to say—but it has an important bearing, inasmuch as he as well as other ministers of the Crown, had been called upon to deny this statement. The Minister of Justice is thus reported on page 4206 of 'Hansard':

> Assuming it to be true that the delegate was consulted, where is the difference in principle between the case of our friends in 1896 and the present occasion ?

I also refer—and this is the last reference I will make—to the hon. member for South Simcoe (Mr. Lennox) as reported in 'Hansard' at page 4314 :

> When this question was launched a few weeks ago it assumed great importance, but since then a further and still more important issue has cropped up, and that is that undue influences are at work controlling and guiding the administration in a manner which should not be possible in a free British country. There is the fact—and the Prime Minister has not dared to deny it—that he has had conference after conference with the Papal Ablegate, not only as to clause 16 of the original Bill, but as to the amended educational clause which was substituted for it.

Now, Mr. Chairman, I have very little further to add in connection with this matter. The issue between the hon. member for Cape Breton and myself was clearly and distinctly defined. I made the assertion that the right hon. leader of the government had been interrogated on the floor of this House as to whether he had been holding consultations with the Papal ablegate in connection with the educational clauses of this Bill or not and that although he had been interrogated he had not taken occasion to deny the assertion. I have read the statements of hon. members as reported in 'Hansard' that the right hon. Prime Minister was so interrogated and the question comes down to this that if the hon. member for Cape Breton, as I said in my opening, appreciates the position that he has placed himself in by the statement he made at that meeting declaring the statement I made to be false and slanderous and offering to resign his seat if I could prove the statement I made to be contained upon the pages of 'Hansard,' he should carry out his undertaking. While I do not expect from an hon. member who would be so careless in making a statement such as that to which I have referred, which he is reported to have made in the 'Globe' newspaper and which must have been made with a knowledge of its falsity or with a total disregard and want of knowledge as to whether it is true or false, that he will resign his seat in the House I do think that the least he could possibly do would be to take the first opportunity to apologize to the audience before which he made the speech to which I have referred.

Mr. D. D. McKENZIE. Mr. Chairman, if I am lectured upon moral ethics, and upon my conduct as a citizen of this Dominion and upon the way in which I should exercise my rights and if I am obliged to accept that lecture, possibly it would be proper for me to inquire into the source of that lecture and as to how well the hon. gentleman who undertakes to lecture me has exercised those rights himself and what is his history in the particular place from which he comes. I must say at the very beginning that there is a direct issue between the hon. gentleman and myself on a question of fact. If you, Mr. Chairman, or any other hon. gentleman in this House, had to meet this hon. gentleman in North Oxford as I had to meet him, if you had to hear his speeches and his statements of alleged facts as I had to hear them, you would not be surprised that there is a direct issue as to the facts between that hon. gentleman and myself at the threshold of this question. I am not very well acquainted with hon. gentlemen in this House. I am a stranger to many of you. My hon. friend the leader of the opposition (Mr. R. L. Borden) knows me. He knows the province from which I come. I put myself in his judgment if in the province from which I come and among the people who know me my word would not be taken on a plain question of fact between the hon. gentleman who has just spoken and myself. I will at least ask the hon. members of this House to follow the ordinary common sense way of things and to consider how a circumstance of this kind would have been brought about. It is a well defined and well understood rule of evidence that there must be an order of common sense in the way things are brought about and a story is told. I will say that only a part of the truth has been stated by the hon. gentleman as to what took place at the meeting in that campaign at which we met in North Oxford. It is quite true that I said I would bring this matter up in the House. It is well within the experience of every hon. member of this House that in discussions of the character that took place between the hon. member and myself very often things take place and expressions made use of which might not take place at cooler moments, and we think it just as well to let sleeping dogs lie. The North Oxford election is over. It resulted favourably to us, we were triumphant, we are rejoicing in the victory, and I thought it would be a small business on my part to bring this matter up in the House. I thought it would be just as well to let it go. If the hon. gentleman thinks he is going to make any capital in parliament out of what took place at that meeting I think his effort will result in failure. I am only too glad to meet him. I have taken part in campaigns not only in my own province but in other provinces, and in these campaigns I have always discussed the issue

upon the conduct of the government of the day whether in Dominion or local politics on the record of the government. It was a considerable revelation to me when I met this hon. gentleman at Braemar to find that it was a hot campaign of anti-Catholicism from start to finish and not one word about the policy of this government, nothing in regard to that phase of the responsibility of the government, nothing but popery in the beginning, popery in the middle and popery in the end. That was the whole song of the hon. member who is coming here and asking you to pass judgment upon me because I crossed swords with him on that occasion. What was his first act when he arrived at the meeting? Himself and another gentleman landed there loaded with newspapers (in a carriage) the London 'Free Press' with all its blazing head lines about Sbarretti, the Pope and Hyman, that had been used in all those cartoons up there. They had their carriage loaded with these papers and the hon. gentleman, his friend the doctor and the driver started out to distribute that stuff the moment they got there. That was the first thing that I was up against. It was a new line to me and I appeal to the hon. leader of the opposition to say if in the province that I come from we carry on elections on questions of that kind. We never make an issue of that kind. The hon. member at the opening of the meeting showed his generosity by confining myself and another gentleman to forty-five minutes while giving to himself and his friends two hours. That was the very first start. If we had been intruders at that meeting, it would have been a different thing. We were invited to be there. Their posters said that discussion was invited. When we went there in response to that invitation we were told forsooth that we would get forty-five minutes between the two of us and that we could do what we liked with that time. Mr. McKay spoke for fifteen minutes and I occupied the balance of the time. I want to point out to you the syllogism or logic of this thing to show how it came about. The hon. member was not speaking ten minutes when he made the statement that it had come to a fine pass in this country when the laws of the country were dictated, written and handed to her premier by the representative of the Pope. That was the very first statement.

Some hon. MEMBERS. Shame.

Mr. D. D. McKENZIE. Yes; he said that clause 16, No. 1, was not drafted by Sir Wilfrid Laurier; that it was not drafted by the Minister of Justice; that it was not drafted by any other member of the government, but that it was drafted by Sbarretti and placed in the hands of Sir Wilfrid Laurier, who was told: Go; introduce that, and do not dare introduce anything else. I felt it was my duty to say at once to the hon. member (Mr. Porter): You belie the Prime Minister, and you falsify the facts, and I challenge you to prove your statement. Then the hon. gentleman (Mr. Porter) introduced his evidence, and he said: I will prove it to you from 'Hansard'; I will show you that Sir Wilfrid Laurier was interrogated on that point, and he did not deny it. I challenge the hon. gentleman now to prove his statement with regard to the drafting of that clause. If he can prove now that the Minister of Justice did not draft that clause, but that His Excellency Monseigneur Sbarretti drafted it, I will stand by my promise and resign my seat if he will do the same. The hon. gentleman (Mr. Porter) said he would resign his seat if he did not prove his proposition, but he never touched on his proposition at all to-night. That is the kind of a gentleman that comes before you to-night producing one half of the evidence only. When he made the statement about the party who drafted clause 16, number 1 as alleged, I said to the people of Braemar: Gentlemen, even if it were true that Sir Wilfrid Laurier did consult Monseigneur Sbarretti about this question, what is there wrong in that; this is the man beyond all men in Canada who represents the religious denomination that is particularly affected by this legislation; and if Sir Wilfrid Laurier or any other man at the head of a government in this country did consult the special representative of a church about legislation that concerns it particularly, is there anything wrong about that? I took occasion to point out that the Presbyterian General Assembly was then sitting in the city of Kingston, and I said that if Sir Wilfrid Laurier went to Kingston and spoke to the Venerable Doctor Armstrong about something that particularly concerned the Presbyterian Church, would it be fair or honourable for anybody in this country to arraign him because, forsooth, he consulted the Moderator of the General Assembly upon a subject that particularly concerned the Presbyterian Church in Canada? That is the argument I used. I said to the people that it was cowardly and contemptible—I did not mention this gentleman's name—I said it was cowardly and contemptible for any man in the midst of a Presbyterian and Protestant body, and miles away from any Catholic that could take his own part, to start a discussion on religion and denunciation of the Catholic church, I said such a man was a slanderer and a coward, and I repeat that statement now. The House will remember that I was meeting a campaign of a character I never met before, I was meeting in controversy a man of a class I never met before. I appeal to the leader of the opposition, a gentleman from my own province, if it is not true that when lawyers in Nova Scotia meet, either at the bar or on the hustings, they tell the truth as they understand it, and they tell

the whole truth. I told the hon. member (Mr. Porter) on that occasion that I did not know much about the judges or the courts of Ontario, but that I looked upon them as perhaps higher courts and greater judges than ours, and I said to the hon. gentleman that if he would conduct himself in his quotations of law and the handling of a case in our Nova Scotia courts as he did before that audience, in ten minutes he would be kicked out of the court. That is what I told him in Oxford, and that is what I tell him now. These are the facts, and I am not going to follow the discussion up any further. I told some of my friends up there the character of the opposition that was given by this man, and they asked me who it was, and the moment they heard his name they said: Oh, what else could you expect? Now, Mr. Chairman, they tried to steal the vote in that constituency, they tried to falsify the facts, but the result was that in that small place Braemar, the Liberal candidate came out with seventy-five of a majority. I shall be glad to go back to that place with the hon. gentleman (Mr. Porter) and discuss the facts over again. He was in his own province, where I was an entire stranger; and if I could kick him out of court and capture the meeting, I think I was entitled to do it. He undertook to prove that section 16 was drafted by the Papal ablegate and put in the hands of Sir Wilfrid Laurier, who moved it without changing a line or a word. Has the hon. member (Mr. Porter) proven that? When he proves that it will be time enough for him to interrupt the proceedings of this House with the statement that I should resign my seat.

Mr. PORTER. I do not intend to prolong the discussion between my hon. friend and myself as to our personal qualifications. I rose to bring to the attention of the House a plain and simple issue between him and me upon a public question. It will be utterly useless for me to undertake to prove the statements made either by myself or by him, except by producing the report in the public press and one other written document which I happen to have in my possession. The statement made by the hon. member (Mr. D. D. McKenzie) as to how I introduced this question at that meeting is utterly untrue. I say it is absolutely false.

Some hon. MEMBERS. Order.

Mr. PORTER. I say it is not in accordance with the facts, and the written evidence proves it is not in accordance with the facts. The only report of that meeting is printed in the 'Globe' newspaper, which is a friend of the hon. gentleman, and which reports his side of the case in a friendly way. The 'Globe' defines the issue between the hon. gentleman and myself on that occasion in plain and unmistakable language, and its statement is not in accord with the statement of the hon. gentleman. The 'Globe' says:

> Mr. Porter claimed that Sir Wilfrid Laurier had been interogated on the floor of the House as to whether there had been any negotiations between him and Monseigneur Sbarretti.

The paper does not show that one single word or syllable was uttered by me to the effect that that clause had been drafted by Monseigneur Sbarretti.

Mr. D. D. McKENZIE. That is what you said.

Mr. PORTER. I repudiate that statement entirely. What I said at that meeting is exactly what is reported in the 'Globe,' with the single exception that I added, and it is not reported, that when the right hon. gentleman was so interrogated he had not taken occasion to deny it. The 'Globe' goes on to define the position in this way:

> Mr. Porter challenged Mr. Mackenzie by saying that if he could not prove from the pages of 'Hansard' that that was so, he would resign his seat in parliament if Mr. Mackenzie would on the other hand agree to resign his seat if Mr. Porter proved that it was on the pages of 'Hansard.'

That defines the issue between us and I leave it to this House or to any one who reads this speech whether or not I have proved the statement I made, declaring it to be contained on the pages of 'Hansard,' word for word almost as I stated it. My hon. friend took issue with me on that and undertook, if I did prove it that he would resign his seat. To-night he has not attempted to make any answer; he has not attempted to deny that that was the issue between us, and he has not resigned his seat. He has tried to call attention to something else but he has not denied it and I venture to say he will not deny that the report in the 'Globe' newspaper is absolutely correct with the addition to which I have already referred. That is not the only evidence. Let me call my hon. friend's attention to another little piece of evidence which if he was so secure in the position he has stated to the committee to-night he would have taken occasion to repudiate. On June 21, when he had failed to keep his promise of arraigning me before the House as to my statement, I wrote the letter to which I referred and in that letter I distinctly and clearly defined the issue between us. I said in that letter:

> As some eight or nine days have elapsed since you took occasion to say at a public meeting at Braemar in North Oxford, that you would take the first opportunity in the House to ask me to substantiate my statement——

Then I inserted in inverted commas:

> —'that Sir Wilfrid Laurier had been interrogated on the floor of the House as to whether there had been any consultations between him and Monseigneur Sbarretti with regard to the school clauses of the Autonomy Bill, and that

Sir Wilfrid Laurier had not when so interrogated, denied having such consultations and that you would resign your seat in the House if I could prove from 'Hansard' my statement to be true.'

That letter has been in his possession from June 21 to the present time, but he has never taken occasion to deny that in any way, shape or form. The issue is a plain, clear and distinct one, and I think the proof is beyond controversy. I leave it to my hon. friend to pursue what may seem to him the proper course.

Committee divided on the amendment to the amendment Mr. Bergeron.

Amendment (Mr. Bergeron)—negatived. Yeas 6; Nays 125.

On the amendment:

Mr. LAMONT. Before this amendment is put there is a point which I would like to have made a little clearer than it is at present. This point has been adverted to by several hon. members in this debate and in calling the attention of the government and of the committee to it, I recall the language of the Prime Minister yesterday when he said that if the language of this section now under discussion was not sufficient to carry out the object which the government had in view he would be prepared to consider any reasonable amendment to it. The object which the government has in view by this clause as stated yesterday by the Prime Minister and as stated a few moments ago by the Minister of Inland Revenue is to carry into effect the very excellent school system now in force in the Northwest Territories. That school system was established in 1892 by the ordinance of that year. Since 1892 when it was established it has worked very satisfactorily to the people of the west and the object of the government as I understand is to perpetuate that system and continue it in the new province of Saskatchewan and Alberta. The principle of the system contained in the ordinances is two-fold. In the first place it secures to the local government the absolute control and jurisdiction over secular education in the Northwest Territories. In the second place it leaves the religious instruction absolutely in the control of the trustees of the school districts. Under that system as established by the ordinances from 9 a.m. until 3.30 p.m., the school system is absolutely under the control and jurisdiction of the local government and the instruction given in the schools, public and separate alike is purely secular instruction. From 3.30 p.m. until 4 o'clock p.m. religious instruction may be given, if desired by the trustees. The reason for that two fold principle is the system established by the ordinance is, that secular education being a national affair ought to be under the absolute control and jurisdiction of the state, while religious instruction, being a domestic matter ought to be under the control and jurisdiction of the parents of the children. So far as secular education is concerned I am satisfied, the language of this clause is sufficient to carry out the object of the government and to continue to the provincial governments in those new provinces the absolute jurisdiction and control over all schools in the new provinces. But in so far as the religious instruction is concerned, I am not satisfied that the language used in this section is sufficient to carry out the object of the government and to continue to the schools of the new provinces the present provisions in the Northwest Territories ordinances, which allow one-half hour's religious instruction to be given in the schools if desired by the trustees. The clause, in so far as separate schools are concerned, places the matter, it seems to me absolutely beyond question, because clause 1 of sec. 16 provides: That the provincial government shall not pass any law which shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act under chapters 29 and 30 of the ordinances of the Northwest Territories. Under chapters 29 and 30 provision is made for one-half hour's religious instruction in the separate schools from 3.30 to 4 o'clock p.m., and I am satisfied the language of the clause will carry into effect the object of the government and continue to the separate schools the half hour's religious instruction. But in so far as the public schools are concerned I am not satisfied that the half-hour's religious instruction granted by the ordinances will be continued. And that is the point to which I wish to call the attention of the committee and which I would like to have made clearer, I want the clause when it is passed to be so plain and clear that there will be no doubt whatever that in the public schools of the new provinces, the half-hour's religious instructions now given by the ordinances will be continued. In order to make that clear and to place it beyond the realm of controversy and to make certain that the object of the government will be carried out, I move, Mr. Chairman, that to subsection one, there be added these words:

Or with respect to religious instruction in any public or separate school as provided for in the said ordinances.

This will make it absolutely clear in my opinion that the object of the government will be carried out, and that there will be continued to the public as well as to the separate schools the right to have half an hour of religious instruction, if the trustees so desire. With regard to the position taken by the hon. member for Beauharnois (Mr. Bergeron) and the hon. member for Labelle (Mr. Bourassa), that where the Catholics are in a majority they should be allowed to form church schools, I cannot concur. We

have in the Territories established a school system which we believe to be the best in Canada, and which has worked satisfactorily ever since it was introduced in 1892. The principle of that system is to leave in the hands of the provincial government the absolute control and jurisdiction over secular education and to allow in the schools, both public and separate, one-half hour of religious instruction, if desired by the trustees. To continue that system is, I understand, the object of the government, and in order to make sure that that system will be continued and that the right to the half hour religious instruction will be continued to public as well as separate schools, I make the motion which I have already read, namely :

That to subsection 1 there be added these words : Or with respect to religious instruction in any public or separate school as provided for by the said ordinances.

Mr. SPROULE. It seems to me that if the aim of the hon. gentleman be what he says it is, he is taking a very unusual way to accomplish it. Suppose that the trustees of any public school were all Roman Catholics and that Protestant children are attending to it, what kind of religious instruction would be there given ? No doubt it would be the dogmas of the Roman Catholic Church that would be taught. The hon. gentleman is not only conceding the right to Roman Catholic separate schools to teach the dogma of the Roman Catholic Church, but he is providing to enable that same church to teach its doctrines in a public school, even though a large number of Protestants may attend it.

Mr. LAMONT. The provision, as it exists in the school system of the Territories today, is exactly the same as the one I am asking this committee to carry into effect. For thirteen years we have had experience of that system, and it has worked satisfactorily, both in districts in which the Catholics are in a majority and in the much greater number of districts in which the Protestants are in the majority. And the reason is this. In those districts in which the Protestants are largely in the majority and the trustees are Protestants, the trustees have always been willing to allow the Roman Catholic ratepayers the right to have their children given Roman Catholic religious instruction in the public schools within the half-hour prescribed ; and in these districts in which the Roman Catholics are in the majority and in which the majority of the trustees are Roman Catholics, they have always been willing to make a similar concession in favour of the Protestant minority. It is merely to continue this system which has been found satisfactory that I move the amendment.

Mr. SPROULE. The hon. gentleman is evidently seeking to give another concession to the Roman Catholic church. I asked the Minister of Justice what was the position under the new clause. And if I understood him rightly, he said that the Roman Catholics could not take control of a public school and teach in it the dogmas of their church.

Mr. LAMONT. In the districts in which the Roman Catholics are in the majority, they can have whatever religious instruction the trustees may desire or permit. And in the districts where the Protestants are in the majority, the same right exists as regards Protestants. The provision applies equally to both. From nine o'clock to three thirty neither Catholics nor Protestants, nor any other power except the civil government, have the right to say what will be done in those schools ; but in the half hour subsequent such religious instruction may be given as the trustees may desire. In those districts where the Catholics are in the majority, if the Protestants are not allowed by the Roman Catholic trustees to give their children the religious instruction they desired, they have the right to form a separate school of their own, and that would entail on the Catholic trustees additional taxation as well as additional taxation on the separate schools. No Protestant child is obliged to stay and receive religious instruction from a Catholic teacher, nor is any Catholic child bound to stay and receive instruction from a Protestant teacher.

Mr. M. S. McCARTHY. Will the hon. gentleman (Mr. Lamont) allow me one question ? Could not the local legislature change that privilege in the future if they saw fit ?

Mr. LAMONT. I fancy the local legislature could do so if they wished.

Mr. INGRAM. That being the case, I would ask the hon. gentleman this question : Supposing that this parliament passed this section as amended, could the local legislature change it ?

Mr. LAMONT. The local legislature could not then pass any law which would prejudically affect any right or privilege granted under subsection 1, which, like the clause in the British North America Act, prevents any interference with the denominational schools provided for by subsection 1 of sec. 93.

Mr. LAKE. I am personally greatly in favour of allowing this half hour's instruction at the end of the school time. But I am unalterably opposed to interference by this parliament with the rights of the new provinces. Therefore, I shall vote against the proposal to interfere with these rights.

Mr. INGRAM. I would like to ask——

Some hon. MEMBERS. Oh, oh.

Some hon. MEMBERS. Order.

Mr. R. L. BORDEN. This amendment was first brought to the attention of the committee only fifteen minutes ago. We

might very properly ask that it be allowed to stand over until to-morrow for consideration. But, certainly, we are not going to have it put through without any debate whatever——

Sir WILFRID LAURIER. Certainly not.

Mr. R. L. BORDEN. It may be that hon. gentlemen on the other side of the House have had an opportunity to consider this amendment—it looks very much as if they had. But, if that is the case I think it would have been only courteous to have let us see it at an earlier stage than at the last moment, when the clause is being put through. I do not think that this is the way to deal with an important question of this kind. This may be a very proper amendment, if we assume the principle on which it is based; but at least this committee is entitled to the courtesy of being allowed the time to consider it.

Mr. INGRAM. The hon. gentleman (Mr. Lamont) says that the provincial legislature could not change the amended section of this Bill if his amendment is adopted. If that be true, how comes it that the hon. member for Centre York (Mr. Campbell) says they could? He has made that statement in this House.

Mr. LAMONT. In my opinion, the legislature will have the absolute power to change it, unless this amendment is adopted. Of course, it is contended by some that the present wording of the section is sufficient to carry into effect the system now in force in the Northwest Territories. I am merely expressing my own opinion in this amendment.

Mr. BELCOURT. The hon. gentleman (Mr. Lamont) wants to remove doubts?

Mr. LAMONT. Yes.

Mr. INGRAM. Then, I think we are entitled to have the leader of the House (Sir Wilfrid Laurier) explain what effect this amendment will have?

Sir WILFRID LAURIER. The question put to me by my hon. friend from East Elgin (Mr. Ingram) is a very fair one. The House is entitled to know from the government what they think of this amendment. As to the meaning of the amendment, I think my hon. friend (Mr. Lamont) has explained it so as to remove all ambiguity. As to the policy of the government, that is a question upon which we are not likely to reach a unanimous opinion. Those who favour that policy will continue to favour it, and those who are opposed to it are likely to oppose it still, notwithstanding any defence we may offer. But it is absolutely requisite that there should be no ambiguity as to the position of either side, and especially as to the position of the government. We have taken a position from the start, that, according to the constitution, when a province comes into the Dominion, if it possesses a system of separate or denominational schools, it must remain with that system of schools as it exists at the moment. And I may say here—although I do not intend to discuss that part of the question, but I may do it later on—that this is a justification of the amendment moved yesterday. When we came to consider the clause as it was first introduced, we found that it left the matter in doubt as to what was assured to the minority. But, by taking the ordinances passed in 1901, which are the law of the Northwest Territories to-day—conceding that our intention was to perpetuate the law as it exists to-day—every ambiguity is removed. We know exactly where we are. The position at the present time is that there is in the Northwest Territories a system of schools which are known as public and separate schools. This school system has been framed under the organic law passed by this parliament in 1875, which declared:

> That a majority of the ratepayers of any district or portion of the said province, or any less portion or subdivision thereof, by whatever name it is known, may establish such schools therein as they think fit, and make the necessary assessments and collection of rates therefor, and that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein and make the necessary assessment and collection of rates therefor.

That is the organic law. Under that organic law this system of schools was established—not at once, but by stages, the final development being in the year 1901 under the ordinances mentioned in the amendment I have proposed. Under that law as it exists to-day, the majority may establish what is called a public school. The minority in the district, whether Protestant or Roman Catholic, if they are not satisfied with the treatment they receive from the majority, may establish a separate school. From the opening of the school up to half-past three o'clock the education given is absolutely secular, and absolutely under the control of the board of education of the province, in every particular—not only in the public schools but in the separate schools as well. It has been contended by my hon. friend from Labelle (Mr. Bourassa) and also by my hon. friend from Beauharnois (Mr. Bergeron) and others that in this respect the provisions of the organic law of 1875 has been departed from. That may be—I do not dispute that or consider that point at this moment. So far as religious instruction is considered I believe that the law of 1901 is in accordance with the law of 1875,—that is, that the majority of the ratepayers in a district can have such religious teachings as they see fit. So far as the secular education is concerned these schools may be called national, but so far as religious education is concerned, they may be called denominational, because trustees who represent the people of the locality are at liberty under

the provision in 1901 and which had been passed seven years before to have such religious instruction as they think best. If they do not want religious instruction, they are bound to have it. What is the character of the religious instruction they may have? That is a question altogether for themselves to decide. If they are Roman Catholics, I apprehend that the religious instruction will be according to the Roman Catholic religion. If they are Protestants the religious instruction will be according to the Protestant creed, and if they are Roman Catholics, it will be according to the Roman Catholic creed; or both classes can dispense with religious education altogether. There is a further provision to the effect that in these schools, if the parents desire that their children should have no religious instruction, then they can withdraw them during the half hour devoted to such instruction. We can agree upon this point, I am sure, whether we sit on one side of the House or the other, whether we approve or disapprove of separate schools, we can at all events agree that it is not a bad thing in itself that opportunity should be given for religious instruction at a certain hour, if the parents so desire it. This is now the law in the Northwest Territories, it has been the law for nearly fourteen years, or more; I venture to think it has been the law since 1885, and this is the law which it is now sought to perpetuate by this amendment. My hon. friend from East Grey (Mr. Sproule) stated a moment ago: This is another concession, you are giving something more to the Roman Catholic minority than they have at present. The hon. gentleman is mistaken. If this amendment is passed the minority will be in the same position as it was, the majority also will have what they now have, and have had for the last twenty years.

Mr. SPROULE. I said that according to my reading of that ordinance that was the real condition that existed in the Territories now, and would be in the future, and I was corrected by an hon. gentleman on the other side who said that this amended clause 16 did away with that right.

Sir WILFRID LAURIER. Who made that answer to my hon. friend?

Mr. SPROULE. I think it was the Minister of Justice, but I would not be sure.

Sir WILFRID LAURIER. Now, Sir, the reason of this amended clause is simply this: It is the result of insufficient drafting of the second clause. I want to be clear upon that point, I do not want to sail under false colours, the position we take should be well understood; let it be well understood by friends and foes. We have taken this position, whether wrong or right, I believe it is right, at all events, I am deeply convinced it is right, though we have taken it against the judgment of the hon. member for Labelle (Mr. Bourassa), we have taken it against the judgment of the hon. member for Beauharnois (Mr. Bergeron), we have taken it against the judgment of a good many people in this country. We think it is our duty to perpetute the system of schools which exists to-day in the Northwest Territories. Let me call attention to what would be the result of this amendment. The clause as it now stands reads:

> Nothing in any such law shall prejudicially affect any right or privilege in respect of separate schools which any class of persons have at the date of the passing of this Act.

That is to say, the right of the minority to have separate schools, that feature is perpetuated in this amendment. But the right of the majority or of the minority which exists to-day under the ordinance of 1901, chapters 29 and 30, of having religious instruction of half an hour a day, is not perpetuated. But under the amendment which has been moved by my hon. friend from Saskatchewan the new clause will read as follows:

> Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories passed in 1901, or with respect to religious instruction in any public or separate school as provided for by the said ordinances.

That is to say, that by this amendment the minority will have the right, if they are not satisfied with the management of their schools, to have separate schools of their own, and the majority will have the right also, under all circumstances, to this half hour of religious instruction. Now let me put a concrete case before the House. Here is a school district, for instance, which is composed of Protestants, they have their own religious instruction. There are amongst them five or six Roman Catholics. While the Protestants have their religious instructions, the Catholics want their religious instruction also, and whether they shall have it is at the option of the school trustees. If they do not get satisfaction from the school trustees, they can secede and organize a separate school. Let us take a concrete case. Here is a school district where there is a majority of Roman Catholics. There are a few Protestant families, and they all go to the same school. If the religious instruction which is given by the Roman Catholic trustees is not satisfactory to the Protestants, they can organize a separate school. Now we know that whatever may be the conscientious scruples we have upon these matters, at all events my co-religionists have them, we know that in these new territories there are many districts where there are schools in which pupils of all denominations attend, and somehow they manage to get along fairly well. Sometimes it happens that they do not,

sometimes they disagree; then the law provides that they have the privilege of separation to organize their own schools. By this amendment the law which is in force to-day receives the sanction in its entirety of the federal authority, it comes exactly within the purview of section 93 of the British North America Act. Now I say this is a small concession, and it seems to be very reasonable. Everybody has heard on the floor of this House, and everybody must have been struck with the fact that all the members of the Northwest Territories, whether on one side of the House or the other, have expressed a pride in their school system, because it provides both for national schools so far as secular instruction is concerned, and it acknowledges the rights of conscience for those who think that there should be religious instruction in schools. Now I know there are gentlemen perhaps on both sides of this House, and there are people in this country, who do not believe in religious instruction being given at all in schools. I respect their views, but I differ from them. I would follow in this matter the example of old Scotland, of England, and also of that land from which we have many traditions. I think it is a proper thing that, pari passu with secular education, some attention should be given to the duties of man towards his neighbour and towards his creator, and that is all that is provided for in this amendment. My hon. friend from Qu'Appelle (Mr. Lake) stated a moment ago that he objected to this amendment because it infringed provincial rights. He is consistent in his objection, as he objects to other provisions of this Bill on the same ground. The hon. gentleman says he is in favour of religious instruction, but he is against this amendment, because he would leave that matter altogether to the province to deal with as it pleases. Well, Sir, we have discussed this point and the House has pronounced upon it. I appeal to the fair and calm judgment of the House if this is not a reasonable amendment, which does not interfere with the conscience of any man. It is merely carrying out the intention that has been affirmed by this House of putting into force by federal sanction the system of schools which now prevails in the Northwest Territories.

Mr. R. L. BORDEN. I think I understand what is intended by this proposed amendment, and if you once accept the principle upon which the section is based, which I do not accept, there is something to be said in favour of it. But I would have thought it better and manlier for the government, instead of asking one of their supporters to make this motion, to have accepted a portion of the motion of my hon. friend from Labelle (Mr. Bourassa), which covered exactly the same thing It was a considerable portion of the argument of my hon. friend from Labelle last night that this very injustice, as he called it, prevailed under the terms of the Bill which is sought to be remedied by the motion which is just now made. My hon. friend from Labelle made a most elaborate argument in regard to that and made it absolutely clear to every hon. gentlemen in this House, and particularly to myself, that this difficulty did occur under the terms of the amendment proposed by the government, but instead of accepting that part of the amendment of the hon. gentleman which dealt with that particular matter the amendment was voted down in its entirety. Hon. gentlemen opposite have twice already voted down this very suggestion, as it was contained in the two motions which they have caused to be defeated. Now, apparently this amendment has been considered by the government and handed to the hon. member for Saskatchewan (Mr. Lamont) to move after my hon. friend from Labelle has made this matter very plain and after my hon. friend from Beauharnois has made a very able argument in regard to it. These are little matters of party tactics, but I trust that my hon. friend the Minister of Justice does not suppose for one moment that we are so absolutely blind as to be misled by a little by-play of that kind. It is not paying us any compliment at all to suppose that we are misled by anything so transparent, because every one understands it perfectly. Now, I understand exactly what is intended ,and if you accept the principle there is a great deal to be said in favour of the proposal. But my hon. friend from Labelle made that so absolutely clear last night that I need not say very much. The point reduced to a few words, is simply this: We are dealing with the rights of the minority in the Northwest Territories, and in so far as we are to restrain the powers of the provincial legislature the minority, where it is the minority, in the district has certain rights in respect to religious instruction, but the minority where it is the majority in a school district, has not the constitutional guarantee of its rights. If I understand the point made by my hon. friend from Beauharnois and my hon. friend from Labelle that is what they brought to the attention of the committee. This amendment is intended to cover that. It not only seems to cover that, but a great deal more. I will point that out to my right hon. friend the leader of the government and my hon. friend the Minister of Justice and we will see if they do not agree with me. Will my hon. friend the Minister of Justice do me the kindness, because we cannot always have these matters immediately in our minds, to look for one moment at the language of subsection 1 of the amended section 16:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the

ordinances of the Northwest Territories, passed in the year 1901.

You are dealing with the right of the Roman Catholic minority, or the Protestant minority, as the case may be, in any school district. Now will the Minister of Justice observe once more as he has so many times observed in the past, the exact language that is used.

Any right or privilege with respect to separate schools which any class of persons have, &c.

But the language which is proposed by the hon. member for Saskatchewan does not use that expression 'any class of persons.' It goes on with a very much more general form of expression. It continues the section with these words:

Or with respect to religious instruction in any public or separate school as provided for in the said ordinances.

If you eliminate part of the section which is immaterial for the purpose of ascertaining the meaning of it the section will read thus :

Nothing in any such law shall prejudicially affect any right or privilege with respect to religious instruction in any public or separate school as provided for in the said ordinances.

When you come to look at the ordinance you will find that section 137 of chapter 29 is as follows:

No religious instruction except as hereinafter provided shall be permitted in the school of any district from the opening of such school until one-half hour previous to its closing in the afternoon, after which time any such instruction permitted or desired by the board may be given.

Now, I am not concerned for the moment with the principle of the Bill. I am dealing with what I understand to be the intention of the government. I am doing this as a member of this House who desires that legislation may express that which it is the intention of parliament to set forth. It is not the right or privilege you are dealing with there. It is the power with which the legislature of the Northwest Territories has invested the trustees of every school district, and either one result or the other will follow. My hon. friend the Minister of Justice will understand that I am, of course, speaking off-hand on this question not having had any opportunity before of considering it. Either one result or the other will follow. The first result may be that these words 'right or privilege' will be considered inapplicable, to express a power vested in the board of trustees. The only place where you find the word 'privilege' contained in the sections which deal with religious instruction is in section 138 where every child is accorded the privilege of retiring. That is not what is intended to be dealt with by this. It is the power vested in the board of trustees to regulate religious instruction. The other alternative is this, that if you consider the words 'right or privilege' to be apt to describe the power vested in the trustees, you are limiting unnecessarily the power of the provincial legislature. If the provincial legislature should desire to withdraw from the trustees and to vest in the board of education, or the Commissioner of Education, the power to regulate religious instruction in Protestant majority schools, the provincial legislature would find itself powerless to deal with that particular phase of the question although to deal with it would not be inconsistent, as I understand the intention of the government, with that which they intend by this section. I do not know whether or not this somewhat close point has been made clear by my remarks to the Minister of Justice, but I do not think he will find upon consideration that the language employed may go further and does go further than his intention or than the intention of the Prime Minister. I am not going over the argument of the right hon. gentleman; I have said about all I can say with regard to that. I am opposed to the whole section, amended or otherwise, for the reason that I think the matter should be left to the provincial legislature. I can see, however, reason for making some change if you once accede to the policy of limiting the powers of the provincial legislature, but I think that object can be accomplished without going so far as the words of this amendment.

Sir WILFRID LAURIER. I will give my hon. friend my own view of this matter. I was once a lawyer—it is many years ago, and I am rather rusty in my law now—but nevertheless I will give my hon. friend the interpretation I place upon this amendment. In my opinion there can be no doubt whatever that the legislation which has been passed in the Northwest Territories and which is now in force has been somewhat at variance with the principles laid down by the organic law of 1875. That is a point which I might have debated with my hon. friends from Labelle and Beauharnois when they accused us of giving nothing to the minority ; that is a point which is rhetorical rather than legal and actual. One thing is certain, and that is that when Mr. Mackenzie introduced the Act of 1875 he stipulated in so many words that the majority could have such schools as they thought fit, and that the minority also could have such schools as they thought fit. The legislature of the territories did not follow that closely. If you analyse their legislation such as it now is before us, you will find that the legislature evidently had in their mind secular education and religious education. Secular education they have absolutely taken control of and they intend to keep it ; religious education they have left altogether to the people themselves, and therefore when the amendment says that the power of the

majority to have religious instruction shall continue, it is a right and privilege which is given to the people. What people? The people who are represented by the board. It is true that in section 127, the power is given to the board, but what is the board? The board is a board of trustees acting for others; they are acting for the people who have elected them and therefore the people who elected them have this privilege and right of religious instruction granted to them.

Mr. R. L. BORDEN. Perhaps I did not make myself clear. My contention is that this language does go to the extent of preventing the Protestant majority in the Northwest Territories from regulating the religious instruction in their own schools.

Sir WILFRID LAURIER. No.

Mr. R. L. BORDEN. Yes. I do not think the Minister of Justice will say it may not have that effect. It says you are not to prejudice any right or privilege with respect to religious instruction in any public or separate school as provided for in said ordinances, and the ordinances declare that the board of trustees shall have power to deal with that question. There is no reason why the provincial legislature should not be given power to alter that if they see fit, so far as the Protestant majority is concerned. The rights of the minority do not require that limitation of provincial powers. The clause is absolutely general; it does not relate to Roman Catholic schools but to all schools. In respect to all schools the board of trustees have at present the right to regulate religious instruction, and if these words are apt for the purpose intended, then the legislature of the new province cannot in respect to Protestant schools deal with that question by taking away that power from the board of trustees.

Sir WILFRID LAURIER. I understand that, but as I read this clause there is no such thing provided for on behalf of the Roman Catholic minority in the initial legislation of 1875. The right and privilege is given to the majority and to the minority as well. It says the majority shall have the power to have such schools as they see fit. That right is given to the majority in the district and not to the majority in the province as in the case in Ontario and Quebec. The minority in the district is given certain powers also, and therefore the intention of the legislation all through was simply that this power of having such religious instruction as they want is vested in the people of the district.

Mr. R. L. BORDEN. It is not essential to the protection of the minority of the whole province that you should for ever impose a law upon the people of the Northwest Territories, that the power to regulate religious inspection must be vested absolutely in a board of trustees. The majority in the new province may desire, so far as Protestant schools are concerned, to deal with that question in another way and no one would complain if they did; certainly not the majority of the province who do not want to be fettered. I point out to the right hon. gentleman and to the Minister of Justice, that I am afraid these words will go to that extent. I ask the Minister of Justice, because we want to deal frankly with each other in these matters, whether he appreciates my contention; in the first part of the section you deal only with separate schools and Catholics have a separatet school and Protestants have a separate school only where they are in the minority. Now, so far as the Catholics are concerned you desire to go further and provide that the power to regulate religious instruction by trustees shall not be taken away from the Catholics where they happen to be in the majority. But surely you do not need to go so far as to apply the same limitation upon the provincial power with respect to schools where the majority in the district is Protestant.

Sir WILFRID LAURIER. So far as I am concerned, I do not agree with the argument that this clause applies to Roman Catholics; it applies to the majority or the minority, just in the language of the Act of 1875.

Mr. R. L. BORDEN. It does, and that is the very ground of my objection.

Mr. FITZPATRICK. The leader of the government took the position which I think I should take. It seems to me that instead of calling these schools Roman Catholic schools or Protestant schools, if we spoke of them as majority or minority schools we would be keeping better within the lines of the Act. We have an Act which contemplates a dual system of minority and majority schools, and as the Act stands with the amendment originally proposed, it seems to me we have conserved to the minority where that minority is a minority in a district all those things which the minority has at the present time. With this additional amendment we will find ourselves in this position that under the Act as we now have it the majority, whatever that majority may be, has also the same right in respect to religious instruction that the minority has got and what is intended, it seems to me is to confirm to that majority the same rights and privileges as the minority has in a school district, whether that majority be Protestant or Catholic.

Mr. R. L. BORDEN. Yes; that is exactly my view of it, but what I am suggesting is that in respect of schools in any district where the majority is Protestant, there is no reason why you should limit the powers of the province in that respect.

Mr. FITZPATRICK. In what respect do we limit the power of the province ?

Mr. R. L. BORDEN. By declaring, as you do declare, that a power which is vested in the trustees by a law of the Territories cannot be taken away by the legislature of the new province. If you go that far, then you limit the power of the legislature, not only in school districts where the majority is Catholic, but you limit the power of the provincial legislature where the majority is Protestant.

Mr. FITZPATRICK. Would it be equally correct to say that we perpetuate the right to religious instruction which is now vested in the trustees in a majority or a minority district ?

Mr. R. L. BORDEN. Quite so.

Mr. FITZPATRICK. That is the intention, to continue the religious instruction which they now have.

Mr. R. L. BORDEN. If the government intend that, well and good ; but I thought the intention was to limit the powers of the provincial legislature so far as the minority is concerned. If you are going further, limiting the power of the legislature so far as the Protestant majority in any particular district is concerned, then I think you are going beyond any argument advanced by the government in support of this resolution. You started in the first place by protecting the minority, whether Protestant or Catholic, in every school district. You go beyond that now for the purpose of protecting, as I understand, the Catholic majority in any particular school district, but you do not, by any argument hitherto advanced, have any reason for limiting the power of the provincial legislature beyond that. You do limit it beyond that, because you prevent the provincial legislature from dealing with religious instruction in districts where the Protestants are in the majority. That power must for ever be in the trustees, although it may be the opinion of the vast majority of the people of that province that that power should be vested in some other body, in the Commissioner of Education, the Council of Education or some other tribunal to be appointed. That is all I have to say, if I make myself clear.

Sir WILFRID LAURIER. I understand the point.

Mr. MONK. I understand the point. I wonder why the suggestion of the member for Saskatchewan (Mr. Lamont) is not made applicable to the cases where the majority is Catholic only.

Mr. FITZPATRICK. Why ?

Mr. LAMONT. Why should it be ?

Mr. FITZPATRICK. Why should we amend the ordinance ?

Mr. MONK. The objection of the leader of the opposition would disappear. His objection is that in order to meet the objection referred to throughout this discussion we are making the law so general that the legislature will not be able to legislate in any respect regarding the control of instruction in the schools, even where these schools are in a district with a Protestant majority.

Mr. LAMONT. If it is a good principle to grant to the Roman Catholics the privilege of having a half-hour's religious instruction in the school, I, as a Protestant, do not see why it is not a good principle for the Protestants.

Mr. R. L. BORDEN. It may be.

Mr. LAMONT. So far as the amendment I had the honour to move is concerned, my object is to continue the present law to the public schools, Protestant as well as Catholic. I want the school law of the new provinces to contain a provision that for all time to come there shall be granted to each school district the right to have religious instruction in that school district if they think fit, and that applies to Protestants as well as to Catholics. There are some 150 Catholic schools to some 1,050 Protestant public schools, and that provision I believe to be a wise one to apply to all schools and not only to one class of schools. I am satisfied that at the present time the legislature would not change it, but the 250,000 people who now constitute the estimated population of each of these two provinces will be but a small percentage of the millions who will find homes on our prairies, and it may be that future legislatures, elected by the immigrants from all quarters of the world, may not be of the opinion that the inculcation of religious and moral principles in the schools is necessary to the welfare of the state, and if not this amendment is desirable. I am satisfied that it is a wise provision to leave in the hands of the trustees, Protestant or Catholic, I do not care which they are, the right to give the children of that school section religious instruction if they desire from 3.30 o'clock to 4 o'clock. That is all the amendment covers. That is what it was intended to cover ; if it does not cover that, I hope it will be made to do so.

Mr. INGRAM. I want to understand this, too. As I gather, our hon. friends from the Northwest are opposed to any interference with the school system of the Northwest Territories, and they desire the matter of education to be left entirely in the hands of the local legislature. I understood the hon. gentleman from Saskatchewan (Mr. Lamont) to say that he is in favour of the present school system in the Northwest Territories. He is in favour of perpetuating public and separate schools for all time to come. That is his position, and he also

wants to provide that there will be religious teaching in the schools from 3.30 to 4 o'clock.

Mr. LAMONT. Permission to have it if the trustees desire it.

Mr. INGRAM. I was coming to that; that is, if the trustees see fit they can continue the religious teaching in any school. If it is to be left to the trustees, what objection can there be to allowing the local legislature to control that matter; and if the school trustees desire to have religious teaching, well and good; and if they do not, well and good; the majority would rule in that case. As I understand, the hon. gentleman says that religious teaching will not be continued unless he has embodied in section 16 the amendment which he has just moved, and I understood the First Minister to say that the principle of separate schools is being perpetuated, but not the principle of religious teaching. The religious teaching for the half hour can be changed. That is what I understood the right hon. gentleman to say; but just lately, before the Minister of Justice sat down, I understood him to say they were going to perpetuate religious teaching. I may be wrong, but that is my understanding.

Mr. FITZPATRICK. No; the right to religious teaching.

Mr. INGRAM. What we intend to do is to carry out what my hon. friend has in mind, to allow this question of religious teaching to be a matter controlled by the trustees.

Mr. R. L. BORDEN. And to prevent the provinces dealing with that.

Mr. FITZPATRICK. And that the trustees, representing the ratepayers, shall have the power and the right to determine whether or not there shall be religious teaching.

Mr. INGRAM. So that instead of the local legislature having any control whatever of the privileges, we fasten this on the trustees for all time to come.

Mr. FITZPATRICK. We do not fasten it; we give them the right.

Mr. INGRAM. What I say now is that the province cannot change that. I am going to end up in York again. My hon. friend from York said that the local legislature could change and I am glad to know I have the opinion of the Minister of Justice on this, he says they cannot. On the other hand, I have this to say that the Northwest representatives, sitting here on the government side, are in favour of perpetuating separate schools in the Territories. I am perfectly satisfied. That places me in this position. I am opposed to any interference by this government in the matter of perpetuating separate schools, whether Protestant or Roman Catholic, in the Territories. I am in favour of the new provinces having entire control of their educational affairs; and when any supporter of the government, at any future time, undertakes to say that the local legislatures of the new provinces have the right to interfere with religious teaching in the public schools, he is not making a statement in accord with that made by the Minister of Justice and the leader of the government.

Mr. SPROULE. The whole thing is an attack upon the public school system of the country. Step by step we are interfering with that principle which we have admired so much and which has been constantly built up by accretion during the last fifty years, and which was started in Ontario by Egerton Ryerson many years ago. We are providing that the school board, whether Roman Catholic or Protestant, can have such religious instruction in the public schools as they desire.

An hon. MEMBER. No.

Mr. SPROULE. Who says no? I say if this amendment carries, the school board, whether Protestant or Roman Catholic, will provide for religious instruction in the public schools according to the views of the trustees. You are taking a public school, which ought to be a school that Catholics and Protestants alike may attend, without having to listen to any instruction in any dogma which they do not profess, and you are giving to the trustees of that school ths right to insist on religious instruction being given and the dogmas they favour being taught.

Sir WILFRID LAURIER. We are not introducing anything new. What we are introducing has been in existence at least twenty years. The very condition of things to which my hon. friend objects, the possibility of having religious instruction in the public schools, has existed in the Territories since 1885. No injustice has been done to anybody under that system. If my hon. friend wants evidence of that, let him ask the representatives of the Territories who sit on this side. They will tell him that they are satisfied with this condition of things, and that it has worked no injury to anybody.

Mr. SPROULE. What I was endeavouring to say was that when the educational clause No. 2 was submitted, the hon. members for Labelle (Mr. Bourassa) and Beauharnois (Mr. Bergeron) declared that, to all intents and purposes, it left the public school a school in which no person had any right to say what religious instruction ought to be given in it. But the government are now doing, through one of their own stool pigeons, what they dare not do of their own motion.

Mr. DEPUTY SPEAKER. The term used is not parliamentary.

Mr. SPROULE. If so I am quite willing to take it back, but I cannot find any other

term which expresses so well what I mean, I wish to refer to another point. The territorial government have to-day the power to do away with the trustees and take control of the schools. In that case what will be the religious instruction? If the trustees are done away with and a commissioner appointed by the legislature in their place, who will direct the education to be given, the curriculum and everything else, how will this clause act?

Sir WILFRID LAURIER. Just as it has done the last twelve years.

Mr. R. L. BORDEN. That would be true of every clause, and you might as well petrify them all.

Mr. SPROULE. If the trustees, to whom are given the right to say what religious instruction shall be provided, are removed, and a commissioner, who is the representative of the local government, is put in their place, he will have that right.

Sir WILFRID LAURIER. Certainly.

An hon. MEMBER. You ought to be satisfied with that.

Mr. SPROULE. You do not allow local government to control the trustees, but you do allow them to control the commissioners. The whole thing is an attack on the public schools, and is intended, as far as possible, to do away with them.

Mr. SCOTT. My hon. friend takes a very distorted view of this amendment. The hon. the leader of the opposition this afternoon gave us a ten minute dissertation on the impossibility of having absolutely correct drafting, and what he said was very true. We have an illustration of it here. After about four or five months discussion, we from the Territories think we are now getting a provision in our constitution with regard to education which is exactly what we asked for in the first instance. There are seven members from the Territories behind the government. There has been considerable discussion in the House and in North Oxford and London regarding the origin of the educational clause in this autonomy Bill. The very point brought up by the hon. member for Hastings (Mr. Porter) this evening is the very best proof of the fact that the issue in North Oxford and London was not the actual effect of the educational clause, it was not the separate or the public school system, but it was whether it was the representative of the Pope or not who drafted that clause and put it in the hands of the First Minister. If the amendment of my hon. friend from Saskatchewan (Mr. Lamont) be adopted, we will be getting what the seven members from the Territories, who consulted with the Prime Minister and his colleagues for weeks prior to the 21st February, suggested should be given; and whether that may suit the representative of the Pope or the heirarchy or the people in the other provinces or not is a matter of comparative indifference to us provided the Northwest people are satisfied with it. And notwithstanding all the efforts made by the hon. member for East Grey (Mr. Sproule) and others behind and around him, in and out of the House, they have failed to find any element of dissatisfaction in any part of the Territories with regard to this matter.

Mr. SPROULE. Is it not a fact that they were satisfied with clause 16, No. 1, and clause 16, No. 2, and yet now they say they require to have this amendment in order to get what they wanted.

Mr. SCOTT. When the Bill was first introduced, the people of the Northwest believed it was securing to them a continuation of the system they now enjoy.

Mr. LALOR. Then you admit you were deceived?

Mr. SCOTT. We were not very much deceived with regard to what would happen in North Oxford and London and what might happen in Edmonton. Not much deceived as to what might happen in Lévis.

Mr. SPROULE. But the hon. gentleman (Mr. Scott) was evidently badly scared as to what might happen if they opened Western Assiniboia.

Mr. SCOTT. But I repeat that when this Bill was introduced on February 21, the people expressed no dissatisfaction. When the amendment was announced a month later, they again believed that the object of section 16, No. 2, was to perpetuate exactly what already exists. And so they expressed no dissatisfaction. Notwithstanding all their efforts to obtain such expressions of dissatisfaction, the hon. gentlemen opposite have lamentably failed to secure these expressions. But we find—and the point is made abundantly clear by the discussions of the amendments of the hon. member for Labelle (Mr. Bourassa) and the hon. member for Beauharnois (Mr. Bergeron) —that section 16, No. 2, does not perpetuate exactly and entirely what exists in the Northwest Territories with respect to separate schools and religious teaching. Therefore the hon. member for Saskatchewan (Mr. Lamont) has proposed a further amendment which will result in doing what we have asked should be done from the very beginning. Hon. gentlemen opposite are too prone—especially the leader of the opposition (Mr. R. L. Borden) and the hon. member for East Grey (Mr. Sproule) to look at one section of the people only. They cannot get away from the Roman Catholics of the Northwest. But these are not the only people who are interested in religious instruction in the schools. About a month ago the country

was given what in my opinion, was a very valuable expression of opinion on this question. This was given by Dr. James A. Carmichael, one of the superintendents of Presbyterian Home Missions in Western Canada. And here is a sentence from what Dr. Carmichael said :

> The half hour of the day in which religious instruction may be given had been a provision, Dr. Carmichael explained, not demanded by any hierarchy, but suggested and incorporated in the Bill by an inspector of schools who was an elder of the Presbyterian church.

Now, Dr. Carmichael was speaking of something he was fully acquainted with. He had lived in Regina for a dozen years —was the pastor of the Presbyterian Church there. The inspector referred to was one of the members of his congregation. And, when it was made plain to the members from the Northwest Territories supporting the government that section 16, No. 2, would not guarantee in regard to religious instruction, exactly and entirely what we have at the present time, we said we would have to insist upon an amendment. What we said in January before the Bill was brought down we repeated in February after the Bill was before us, and when we recognized that the government had failed in carrying out our suggestion that the existing condition should be perpetuated exactly and entirely, we decided to ask for a further amendment. And I think the committee will agree that if the amendment proposed by the hon. member for Saskatchewan (Mr. Lamont) is adopted we shall have obtained exactly what the seven men from the Northwest Territories supporting the government suggested in the first place—that, so far as separate schools and religious instruction are concerned we should have guaranteed exactly what we have under existing ordinances.

Mr. SPROULE. But in London and Oxford the hon. gentleman (Mr. Scott) declared that section 16 was absolute perfection.

Mr. SCOTT. Did my hon. friend (Mr. Sproule) hear anything that I said in Oxford ? I never saw him there.

Mr. HENDERSON. I think that the less the hon. gentlemen opposite say about Oxford the better for themselves. We know that North Oxford reduced their majority about twelve hundred in the last election, showing conclusively that many of their own friends there have no confidence in the educational clauses of this Bill. And Braemer reduced the Liberal majority to 75. Why was it not 125 ? Why, you could scarcely find a Conservative in Braemar. I had the honour to go there, and we had to get a Liberal for a chairman—and he made a very good chairman indeed. I talked to those people and I flatter myself that I had made a very good impression and that I was amongst those who succeeded in bringing down that majority to 75. I think hon. gentiemen opposite have got all they want from Braemar. And Zorra. Why Zorra never gave so large a Conservative vote in its history as on this occasion. Zorra and Braemar have spooken in no uncertain tones, and I think in a way not very satisfactory to hon. gentlemen opposite. I was called out of the House for a short time, and have not heard all of this discussion. I would like to deal with this amendment from my own standpoint. And by the way, I would be obliged to the hon. gentleman (Mr. Lamont) who moved it if he would kindly send me a copy of the amendment.

An hon. MEMBER. Here it is.

Mr. HENDERSON. I would like to get a copy from the hon. gentleman (Mr. Lamont) himself. No doubt he has many copies. Did he not supply his friends with copies ? Or are they taking it for granted ? Surely the government would not propose to put an amendment through the House in this secret, clandestine way, without even allowing members an opportunity to read it. We have heard a good deal about restricting the rights of the people of the Northwest. But has it come to this, that the government are going to restrict the House of Commons and not allow hon. members an opportunity to read an amendment that is proposed in this committee ? Now, we have been talking for a long time on this question. And I confess that I am somewhat surprised that at this late hour of the day and of the session we have another resolution proposing to put further restrictions upon these new provinces. I believe that the British North America Act gives to these provinces the exclusive power to make laws in relation to education. We may talk by the hour, but we cannot get over that fact—that the British North America Act gives to these provinces the exclusive power to legislate in relation to education.

Mr. D. D. McKENZIE. The hon. gentleman is absolutely wrong.

Mr. HENDERSON. The hon. gentleman was all wrong at Zorra, he was wrong in Braemer, he is wrong all the time, I am speaking of the British North America Act, there is no uncertainty about that, it is not a 'Globe' report. The British North America Act, says that the provinces shall have the exclusive right to make laws in relation to education.

Mr. D. D. McKENZIE. It says nothing of the kind.

Mr. HENDERSON. Does the hon. gentleman challenge the correctness of the British North America Act ? I do not believe the hon. gentleman ever read it, unless he read it by proxy, as he votes by proxy.

Mr. D. D. McKENZIE. I challenge the hon. gentleman to read it now.

Mr. HENDERSON. I have it in my head as well as in this book, and it states that

each of these provinces shall have the exclusive right to make laws in relation to education.

Mr. D. D. McKENZIE. There is no such law on our statute-book.

Mr. HENDERSON. No, because it is on the imperial statute-book. The hon. gentleman is quibbling.

Mr. D. D. McKENZIE. I challenge the hon. gentleman to produce a lawyer with the name in this House who will agree with him.

Mr. HENDERSON. Let the hon. gentleman contain himself. It is not necessary to get excited over this, all he has to do is to read the Act, and he will see that I am right. Under the British North America Act the provinces have the exclusive right to make laws in relation to education, and the hon. member for Cape Breton has no more right than a man in Bengal to sit here and make laws in relation to education for the people of those provinces. He is usurping a right that does not belong to him. Now we are asked at this late, late date, after we have been legislating for the last three or four months, to put a chain around the neck of these new provinces, restricting their rights, coercing them. That is what the hon. gentleman is doing. Now he says they have not been coerced enough. The hon. member for Labelle (Mr. Bourassa) has opened his eyes, and he makes out that they are not coerced enough, so he wants to apply a further measure of coercion, he wants to add an amendment that will coerce them not only in relation to separate schools, but also in relation to their public schools. I think this is a very serious question indeed. What right have we to interfere with the public schools of Alberta and Saskatchewan ? The provinces alone have the right to legislate on that matter. But the hon. member for Saskatchewan (Mr. Lamont) does not think so. Well, I do not think he is representing the people of his constituency, and when the time comes they will tell him that he has not represented their views on this question, that they do not wish to be coerced in the matter which belongs exclusively to them to deal with. The amendment has just been handed to me, and I have scarcely had an opportunity of reading it; but I understand it is to apply a further measure of coercion. Now I take the ground that we have no right to restrict the provinces at all in relation to education. Unfortunately clause 16 is likely to go through, because hon. gentlemen opposite are bound that these provinces should be throttled, and gagged and restricted. On the general principle that I disapprove of interfering with the rights of the provinces I propose to vote against this amendment. We have gone already too far in the matter of restriction, and I think the hon. gentlemen ought to hesitate before they apply this further restriction. The discussion so far has related almost exclusively to restrictions with regard to separate schools; but now there is an attempt to place a restriction on the management of the public schools, the schools of the people of the province, to refuse the provinces the right to deal with public schools as they think fit. I say that is unfair. The hon. member for West Assiniboia (Mr. Scott) read an extract from a gentleman whom he said was the Reverend Mr. Carmichael. I do not know the gentleman, he may be a very estimable gentleman, probably he is, because he has the honour to belong to the same church as I do. But we know that many good men go wrong at times—like the hon. member for Cape Breton (Mr. D. D. McKenzie), a very decent man under ordinary conditions, but when he gets excited and carried away, he goes wrong. The hon. member for Assiniboia goes wrong; the hon. member for Saskatchewan has gone very far astray when he consented to do something that even a member of the government had not the cheek to undertake. I do not think that what the Reverend Mr. Carmichael said was very pertinent to this question. By the way, did Mr. Carmichael know that the member for Saskatchewan was going to move this further coercion measure ? When he knows that he may change his opinion. It is unfair to quote him until he has had an opportunity of reading the amendment of the hon. member for Saskatchewan. Now, I have stated my opinion plainly, I am going to vote as I have spoken. I am going to stand on the ground of provincial rights, leaving all matters in relation to education where the British North America Act places them.

Mr. SPROULE. I stated a short time ago that this was an attack upon the public schools. In fact, since this Bill was introduced, the government have been proceeding step by step to attack public schools. Let me give the steps briefly. First, there was the attempt to discredit the public schools by declaring the superiority of church schools. That was the first step when the Bill was introduced, and the Prime Minister was responsible for that, when he tried to show the superiority of the dual system over the national system of the United States. Next, by restricting the right of the provinces to deal with their own educational affairs. This has always heretofore been understood as one of the exclusive rights of the provinces, except the provinces of Ontario and Quebec. The third is taking out of the province the control of separate schools; the next is that in the federal parliament we, by virtue of the law we pass here, compel them to give separate schools; and the fourth is that we propose by this amendment to give them, not only control of separate schools, but control of public schools as well. We leave nothing to the

people of the country. Therefore, am I not justified in saying that this is an attack upon the public schools, and that it means the destruction of the public school system ? Let me give you an example. In L'Orignal not very far from Ottawa, for the last twelve or thirteen years there has been a public school. During all that time it has been under the control of three Roman Catholic trustees composing the school board, and in all that time the Protestant children have attended that school without any interference or without any forcing upon them of the dogma of any church.

Mr. PROULX. Is my hon. friend aware that the Protestants have established a separate school at L'Orignal?

Mr. SPROULE. I know that and I might tell my hon. friend (Mr. Proulx) a little more about it that perhaps would not be very creditable. But, I am now dealing with this question. We will suppose that in the Northwest they have a public school that every Protestant child has a right to attend without any interference with his religion and without any teaching of religious dogma. Suppose that this school to which I have referred at L'Orignal had been in the Northwest Territories and that these trustees who were Roman Catholics had declared that nothing but the dogma of the Roman Catholic church should be taught there; what would the rights of the Protestant child be in the school? The school would be converted practically into a separate school.

Sir WILFRID LAURIER. No.

Mr. SPROULE. Practically it will be controlled not as the public schools of Ontario are, because in the public schools of Ontario there is no religious dogma taught and every child has the right to go there whether he is Protestant or Roman Catholic although these Roman Catholic trustees manage and control that school, for it is controlled under the law governing public schools.

Mr. SCOTT. The public school in the Northwest Territories may be entirely different. If this is merely perpetuating the state of affairs that is existing now the public school is entirely different. In our public schools at the present moment under the ordinances that we are asked to perpetuate religious dogma may be taught from 3.30 to 4 o'clock.

Mr. SPROULE. I know all about that, but I think I am still justified in my statement that this is an attack upon the public school, because, if you can establish that principle in the two new provinces in the Northwest Territories, and if it is afterwards extended to the Peace River district and the Mackenzie River district as the proposed Bill for government of these Territories provide and it is now in existence in the Yukon, how long will it be before the same right will be demanded in Ontario and in the other provinces ?

Mr. CONMEE. I would like to ask the hon. gentleman if he would permit me to make a statement in regard to his remark ?

Mr. SPROULE. If the hon. gentleman wants to make a speech he may do so after I am through, but if he wants to ask a question I will answer it.

Mr. CONMEE. I am not going to make a speech. Will the hon. gentleman permit me to ask him a question?

Mr. SPROULE. Yes.

Mr. CONMEE. The hon. gentleman has stated two or three times that there is no religion taught in the public schools of Ontario——

Mr. SPROULE. Will the hon. gentleman ask the question and not make a statement?

Mr. CONMEE—and that there is no religious instruction in the public schools of Ontario. Is he not aware that there is religion taught in the public schools of Ontario and that the regulations permit the teaching of religion exactly as they do in the schools in the Northwest, for half an hour in the day?

Mr. SPROULE. I can tell the hon. gentleman that if he ever went to school, which I doubt very much, within the last thirty years, he would know that there is no religious instruction given in them. I have attended them and I know that what I say is true. I have addressed them over and over again, I know what is the custom in Ontario and I know that my statement is exactly correct.

Mr. CONMEE. I will tell the hon. gentleman this——

Mr. SPROULE. I have the floor and I intend to keep it. Let the hon. gentleman content himself until I am through.

Mr. CONMEE. You have not answered my question.

Mr. SPROULE. I do not want to be interrupted. Mr. Chairman, I have the floor.

Mr. DEPUTY SPEAKER. The hon. member for East Grey has the floor.

Mr. SPROULE. I say that it is the right of every child to attend a public school without having religious dogmas forced upon him, but that if this passes it will not be his right in these new provinces. There will be no public schools to go to, no schools except those which are dominated over by whatever is the religious faith of the trustees, and the children will be practically driven out of the public schools as they were out of the public school in L'Orignal when the Roman Catholic trustees turned around and sold the school to themselves for a

separate school. That is what will happen up there. I again draw attention to the fact that this is another interference with the rights of the province. What right has the province to-day in regard to these ordinances? The Lieutenant Governor in Council has the right to appoint a commissioner of education. That commissioner of education representing the Crown has a right to dissolve a school, to do away with all trustees, to take possession of the school and to direct how it shall be run and to say what shall be the character of that school. If that is done what will be the effect of this amendment upon the commissioner of education, who is a member of the government itself ?

Sir WILFRID LAURIER. Nothing at all. It will be the same as it is to-day.

Mr. SPROULE. He is not one of the trustees. The ordinance says that the education shall be education as prescribed by the trustees.

Sir WILFRID LAURIER. This amendment will not change anything. The law will remain as it is, and the commissioner of education will have the same power as he has to-day under the law.

Mr. SPROULE. The same power ?

Sir WILFRID LAURIER. Certainly.

Mr. SPROULE. Then he can only disobey this law, and if so, it does not give to the people what it professes to give.

Sir WILFRID LAURIER. The hon. gentleman takes a meaning out of this amendment which it does not bear. This amendment is simply to confirm what exists to-day. It adds nothing to it and takes nothing away from what has existed for thirty years. It will continue it in existence. The commissioner has this power and he exercises it to-day just as he will in the future.

Mr. SPROULE. The hon. gentleman who moves this amendment says that the present clause provides for religious instruction in separate schools, whether Protestant or Roman Catholic, but it does not provide for religious instruction in public schools and it is to provide for religious istruction in public schools that this amendment is introduced. I am saying that it does provide for religious instruction in all the public schools, but that religious instruction is what the trustees of the school desire and therefore I say this amendment and in fact this whole Bill constitute an attack upon provincial rights and upon the public school system of the country.

Mr. R. L. BORDEN. Before this question is put I want to say a word or two in reply to what the right hon. leader of the government has just said. He seems to think that it is an absolutely conclusive argument to say that this law simply perpetuates what is in force in the Northwest Territories to-day. That would be just as good an argument in regard to every line and syllable of chapters 29 and 30. The question is not what is there to-day or whether it has been satisfactory ; the question is : What will these provinces require in the future ? That which is satisfactory to-day may not be satisfactory in ten years. If my right hon. friend's argument were good he would take every line and every syllable of chapters 29 and 30 and say that not one line or syllable of these ordinances should ever be changed by the provinces about to be constituted in the Northwest Territories.

Mr. HERRON. I wish to ask the Prime Minister, how many classes of people in the Northwest Territories will be entitled to separate schools under this law ?

Sir WILFRID LAURIER. The question is not relevant to the question we are discussing, but I may say that the number of separate schools, whether this amendment is adopted or not, would remain just the same ; it does not affect the question at all.

Mr. BARR. This is an amendment of too great importance to be voted upon at one o'clock in the morning, especially since it was sprung upon the House only an hour ago. The member for Saskatchewan must have very little confidence in the legislatures of these new provinces when he seeks to impose upon them legislation of this kind which they cannot change, although it should prove to be for the worst interests of the community. The argument he used in favour of his amendment was the very strongest argument why it should not become law. Suppose the Morman majority in a locality would elect in a locality Mormon trustees and these trustees provided religious teaching which was most objectionable to the minority, it would be impossible for the legislature to change the government of these schools for all time to come, if this law should pass. Reference has been made to the fact that in Ontario they have had at different times religious teaching in the schools. That is quite true, but instead of its being a blessing it was a curse, and the people of Ontario changed it, and although the law is there to-day it is a dead letter. In these new provinces into which immigrants are coming from various foreign countries, it can be easily seen that if they are allowed to have control of the teaching in the schools it might be most injurious to the whole community.

Mr. SCOTT. In what way ?

Mr. BARR. I am trying to tell the hon. gentleman and if he has brains enough to understand I can prove it to him. The hon. gentleman from Saskatchewan said that the new provinces were all in favour of this

amendment, but he must know that gentlemen on this side of the House who represent these new provinces, and who represent them properly, are opposed to this amendment.

Mr. SCOTT. I may be very dense but I would like to know in what possible way, by any ingenuity of the imagination, the provision for one-half hour's religious instruction can work harmfully.

Mr. BARR. I have been telling you. Suppose the Galicians or the Mormons should provide for their religious teaching in a school, it would not be in the best interests of any community, and if this amendment is passed the trustees can control and the legislature of the new province could not interfere. Why should we not trust these new provinces? I believe that the legislatures will be composed of representatives just as intelligent as we are, and in fact more capable of making laws to suit themselves. I venture to think they would give a matter like this more time for consideration than we are giving it here. To-night this House is adopting the extraordinary course of legislating to protect the majority, when we have usually found that the majority can take good care of themselves and make such laws as they consider in their best interests. It may be that under certain conditions the interests of the minority would require to be guarded, but when you undertake to make laws like the laws of the Medes and Persians that can never be changed, I say you are legislating in a dangerous way and in a way that may reflect discredit on the country.

Mr. LALOR. The hon. member for Dufferin has raised an important point which I would like to have answered. If the majority of the trustees in a good school section are Galicians or Doukobors or Mormons, can they have their religious teaching in the public schools of the country?

Sir WILFRID LAURIER. In my estimation that is a power which is vested in the legislature. So far as this parliament is concerned, as I read the law, it applies only to Protestants and Catholics.

Mr. R. L. BORDEN. Where is there anything about Protestants or Catholics in section 137?

Sir WILFRID LAURIER. The section is a recapitulation from the Act of 1875 which established separate schools for Protestants or Roman Catholics.

Mr. BARR. The Galicians belong to the Greek Church and do not acknowledge the Pope and so they must be Protestants. Are the Mormons, Protestants or Catholics?

Sir WILFRID LAURIER. The Galicians are certainly Christians but the Mormons are not.

Some hon. MEMBERS. Question.

Mr. R. L. BORDEN. The right hon. gentleman has made a statement of a great deal of importance and which is altogether opposed to the view I entertain. The question of religious instruction is dealt with in section 137. Section 137 says this:

> No religious instruction except as hereinafter provided shall be permitted in the school of any district from the opening of such school until one-half hour previous to its closing in the afternoon, after which time any such instruction permitted or desired by the board may be given.

I do not observe any reference in this provision to Protestants or Roman Catholics or any other denomination.

Sir WILFRID LAURIER. There is nothing there.

Mr. R. L. BORDEN. It is absolutely general, it is not dealing with separate schools where there is such a distinction made, it is dealing with public schools, where there is no distinction made. That circumstance is the very reason for that amendment which has been introduced, because no distinction has been made. Therefore I do not find any such qualification or limitation in section 137 as that which the Prime Minister suggests.

Sir WILFRID LAURIER. I have given my opinion for what it is worth and I have said that although I have been a lawyer it was many, many years ago and I do not pretend to give a legal opinion. I have given my opinion for what it is worth and if my hon. friend reads the Act, not section 137 alone, but the whole context, I think you will find there is a previous section which gives the power to have separate schools and that power is given to Protestants and Catholics. Therefore the Act deals with Protestants and Catholics and when this class of legislation was introduced into this country there were practically the only two classes although it is different now, and therefore my contention would be that all the sections intended to preserve the rights must be construed with the general tenor of the Act.

Mr. R. L. BORDEN. The argument of my hon. friend seems to be that because Protestants and Catholics are mentioned in a section which deals with separate schools, although any such mention is omitted in the section dealing with public schools, nevertheless the last clause must be construed as if it contained that which is omitted from it.

Sir WILFRID LAURIER. That would certainly be my view.

Mr. R. L. BORDEN. Then I am not surprised to hear my hon. friend say it is a long time since he was a lawyer if that is the construction he puts on the statute; that you are to construe it as if it contained certain words which it does not contain;

that you are to do this because some other section dealing with different schools contains these words. I never heard of such a construction in any authority, any text-book or any court.

Sir WILFRID LAURIER. I have stated my own opinion and I have stated frankly that as a lawyer I would not be prepared to give an opinion. The Minister of Justice is there to give me advice on legal matters.

Mr. R. L. BORDEN. I would take almost any law from the Minister of Justice whose ability as a lawyer I very highly respect, and also from my right hon. friend, who I think, underrates his own ability, but I would not take any law like that from the Minister of Justice or any one, namely, that you are to construe a section as having certain words in it which it does not contain because another section dealing with something else altogether contains those words.

Sir WILFRID LAURIER. I have no fault to find with my hon. friend's statement. I give my view for what it is worth but as a member of the government I take my law from the Minister of Justice.

Mr. BARR. Would the Minister of Justice say what he does? Take the Dowieites who are becoming very numerous in that country, becoming a powerful section, who in many places would control a school; would the minister say that they could get in their work?

Mr. HERRON. I would like a distinct answer?

Sir WILFRID LAURIER. Separate schools are confined to Protestants and Catholics alone.

Mr. FITZPATRICK. My hon. friend from the Northwest Territories who has asked a question knows very well the conditions existing there now, and those conditions which he is aware exists now will be continued hereafter; there will be no change.

Mr. HERRON. If the school system is to be continued as it is, what is the necessity of this amendment proposed by the member for Saskatchewan?

Mr. LALOR. Are we to understand that the separate schools are confined to Protestant and Catholic schools but that the public schools may be of any denomination, Mormons, Doukhobors, or any other section to which the majority in any section belongs?

Sir WILFRID LAURIER. That is the law.

Mr. LALOR. And are we to understand that the public schools of the country are to be conducted in that way? If that is what we are to understand, I think the country at large will be surprised to know that the government are passing a measure of this kind.

Mr. BOURASSA. I wish to state to the member for Saskatchewan (Mr. Lamont) that I never asked the government or parliament to introduce church schools, either public or separate, in the Northwest Territories. I never made such a statement either in the House or outside of it. All I asked, and all I still ask, is that what is given to Catholics where they are a minority in a district should be given to them in a district where they are a majority. Of course I know they are entitled to more; I know that we give more to the Protestants in Quebec, and that if we were to reduce the Protestant schools in Quebec to the condition of the Catholic schools in the Northwest Territories there would be such an agitation for disallowance as no government here could resist. As I have stated, to my mind, the least that could be given for the protection of the minority in the Northwest would be the right to form separate schools of the character defined in the ordinance of 1901 in every district, whether they be a majority or a minority. That is the position I have taken. While I am sure the hon. member for Saskatchewan (Mr. Lamont), spoke in all good faith, at the same time I do not want to have him misrepresent me. In Quebec we have no such thing as church schools; but we have given and do give to the Protestant minority the full right to have schools conducted according to their wishes at which their children can receive such religious instructions as they see fit without interference from the government, and I think we should have the same thing in the west. I am glad to have it from the words of the member for Saskatchewan and from the Prime Minister, as well as from the leader of the opposition, that the objection which I have raised some two months ago, and which has been contradicted flatly by the Liberal press in Quebec, has been acknowledged, namely, that if we adopted clause 16, No. 2, we would have deprived the Catholics of all rights in respect of schools wherever they are a majority. I thank the member for Saskatchewan for introducing his amendment with a view to covering that point. However, I wish to say it seems to me it would be much more in conformity with the constitution of our country, as well as with the pledges taken by this parliament to give the right to the Catholic minority to their separate schools under the ordinance of 1901 where they are a majority, than by giving them the right contemplated by this amendment.

I have no personal objection to this, because I am in favour of the principle of religious freedom being left in the hands of the fathers of families as represented by their trustees; but undoubtedly, so far as

the rights of those people who believe in religious education are concerned, this is much more dangerous than if the suggestion I had made were accepted. Why? Because there might be at any time an important group of people throughout the provinces opposed to religious instruction in the public schools, although ready to leave it in the separate schools, and they could not obtain from the local legislature the removal of this amendment now proposed by the hon. member for Saskatchewan (Mr. Lamont), nor could the federal parliament remove it because we are precluded from doing so by imperial legislation. That will be settled for all time. However, if hon. gentlemen from the Northwest are ready to accept it, I have no objection to offer. But it seems to me very strange that this parliament, which is so much frightened by the accusation of interfering with provincial rights, are not giving the minority in the Northwest such rights as are within our purview and the purview of clause 93 of the British North America Act. Instead of giving the minority everywhere the right to have their own schools, you are making a provision by this clause which will interfere with the public school system of the whole province. I am ready to accept it, but the danger is that if you should have a large class of people in either province opposed to religious instruction, the provincial government might not be able to resist the pressure and might abolish the system, so far as public schools are concerned; and this parliament might not feel disposed to pass such kind of remedial legislation as would be the only means by which the minority would be given its rights.

Mr. LAMONT. If I understand my hon. friend's argument aright, it is this, that the amendment I propose is dangerous for this reason, that if in the new provinces there should happen to be a majority not in favor of religious instruction in the schools, the legislature would be put in a position to abolish that in the public schools, and his suggestion would allow public schools to be changed into separate schools. Well, if that would be the result it would be a premium on the establishment of separate schools.

Mr. BOURASSA. I undoubtedly acknowledge that. The right we are entitled to in the Northwest is the right to separate schools. It might be argued, as it has been by my hon. friend from Western Assiniboia (Mr. Scott) that people who do not want religious instruction are not obliged to have it by this clause. But you might have a large portion of people, disseminated throughout districts where the majority impose religious instruction in the public schools, and who, being opposed to it, would join hands with those people and try to create an agitation so that the legislature would abolish religious instruction in the public schools every where. The only way to cover this point would be by adopting such a provision as I will suggest, no doubt uselessly, but to show that my intention has never been to impose schools of such a character as the hon. member for Saskatchewan (Mr. Lamont) has intimated. Suppose the government, instead of adopting the amendment proposed by the hon. member for Saskatchewan, would adopt the following:

> And if the board of any public school district so elects any public school therein shall have and enjoy all the rights and privileges for the time being appertaining either to Protestant or Roman Catholic separate schools, as the case may be, organized and carried on as mentioned in the next following subsection.

This would leave undoubtedly the right for the local legislature to regulate secular teaching in the separate schools just as they have it now. To my mind that is wrong. I admit that the local government should have control so far as the qualification of teachers is concerned, but it is wrong for the government to interfere in the question of religious instruction and decide what kind shall be given through secular education. But let us leave that aside. The amendment I propose would leave the system as it is to-day. Instead of interfering with that system you would simply give the right to those who want to have a public school conducted as are separate schools, to have in those public schools the same privileges as pertain to separate schools. As a matter of fact both schools are conducted in the same way at present. This would allow the majority in every district where they want religious instruction in the schools to have those schools carried on just as they would be under the separate school legislation, and leave their management entirely in the hands of the legislatures of the provinces. And this would, at the same time, cover the objection which I made, and which has been acknowledged at last by the government as well as by my hon. friend from the Northwest, and prevent any dangerous agitation in the future in those provinces with the object of having the local legislatures do away with religious instruction in the public school as they might if the amendment of the hon. member for Saskatchewan be adopted.

Mr. LAMONT. Would the effect of the hon. gentleman's suggestion not be that every school in the province which wanted religious instruction would have to become a separate school ?

Mr. BOURASSA. Only in case when the legislature would abolish religious instruction in public schools. Suppose there would be such an agitation as might cause the local legislature to do away with religious instruction in the public schools, the right would still remain to all people who had organized public schools to have them carried on as separate schools are carried on under these ordinances.

Mr. LAMONT. That suggestion would leave it in the hands of the trustees to turn public schools into separate schools.

Mr. BOURASSA. Yes. I simply want to add that if my suggestion is not accepted by the government—and I make it simply to prove that I have always been in good faith in that respect—then although I think it does not cover the point I have raised and which has been acknowledged as serious by members from the Northwest and the government, however reluctant I may be to accept the amendment of the hon. member for Saskatchewan, still as it is an improvement upon the amended clause submitted to us, I am prepared to support it.

Sir WILFRID LAURIER. The mistake of my hon. friend from Labelle is that he argues as if we had the constitutional power to make the laws for the Territories. We have no such power. My contention has always been that our powers are very limited constitutionally and that the only one we have is to perpetuate the condition existing in the Territories. Whether I be right or wrong, that is the constitution as I understand it. My hon. friend from Halton (Mr. Henderson) said that the rights of the provinces are unlimited in this respect. On the contrary they are limited.

Mr. HENDERSON. Not in this case.

Sir WILFRID LAURIER. I shall not argue that point with my hon. friend. But, I have to say to my hon. friend from Labelle that if we were to accept the amendment he suggested we would import into the Northwest Territories a condition of things which does not exist at the moment —the right of the minority in the province to organize a separate school where they happen to be a majority in the school district. That is not the law even under the Act of Mr. Mackenzie in 1875. Therefore the amendment of the member for Saskatchewan (Mr. Lamont) has the effect of continuing the state of affairs that exists today.

Amendment to the amendment (Mr. Lamont) concurred in : Yeas, 99 ; nays, 27.

Section as amended, concurred in : Yeas, 90 ; nays, 28.

Mr. BRODEUR. Mr. Chairman, I call your attention to the fact that the hon. member for Beauharnois (Mr. Bergeron) has not voted.

Mr. TAYLOR. I call your attention to the fact that the hon. member for Labelle (Mr. Bourassa) has not voted.

Mr. BOURASSA. I am paired with the hon. member for Beauharnois (Mr. Bergeron).

Sir WILFRID LAURIER. I suppose my hon. friend (Mr. R. L. Borden) does not wish to take up section 2 this morning ?

Mr. R. L. BORDEN. We might consider it.

Some hon. MEMBERS. Adjourn.

On section 2—British North America Acts, 1867 to 1886, to apply.

Mr. MONK. I have given notice of an amendment to this section. I think it would be a little late to go into it now.

Sir WILFRID LAURIER. The hon. gentleman (Mr. Monk) intends to speak to his amendment ?

Mr. R. L. BORDEN. I have an amendment which might be disposed of very quickly. It is merely a question of form. I bring it forward now to save time, and do not wish to discuss it at length, as I can say what I have to say upon it with equal advantage on the third reading. The provisions of section 2 are quite familiar to the Minister of Justice (Mr. Fitzpatrick). It may be possible—in fact it is very probable —that the language of that section would have the same result as that which I propose to offer in place of it. But I do not regard the expressions used in section 2 with regard to the date at which the province is supposed to have been established as definite but rather descriptive. I do not know whether I make my meaning clear to the Minister of Justice ?

Mr. FITZPATRICK. Not exactly.

Mr. R. L. BORDEN. What I mean is this. The Minister of Justice in section 2 uses this language :

> The provisions of the British North America Acts, 1867 to 1886, shall apply to the province of Alberta in the same way and to the like extent as they apply to the provinces heretofore comprised in the Dominion, as if the said province of Alberta had been one of the provinces originally united.

'As if the province of Alberta had been one of the provinces originally united.' I regard those words as descriptive rather of the extent and not as definitive of the construction which we should place upon them in respect of the date of admission ; that is to say, that notwithstanding the words which the Minister of Justice has used, you would regard the date of union as the 1st of July, 1905, or whatever date may be fixed. However, I think it desirable, in dealing with the establishment of a province out of Territories, to use simpler language to carry out what I conceive to be after all the effect of this section. Therefore, I move that section 2 be struck out and the following be submitted therefor :

> The provisions of the British North America Acts, 1867 to 1886, shall apply to the province of Alberta in the same way and to the like extent as they apply to the provinces heretofore comprised in the Dominion, except such provisions as in terms, or by reasonable intendment, are specially applicable to or affect one or more only and not the whole of said provinces.

The object is to apply the provisions of the British North America Act as of the

date of the establishment of the province, and in every respect unaltered, that is to say, I want them applied as of the date at which the province is established. I ob-object to the use of the words to which I have just referred, 'as if the said province of Alberta had been one of the provinces originally united.' I do not think they are necessary, although I consider them to be merely descriptive.

Mr. FITZPATRICK. My hon. friend is aware that these words are used in the Manitoba Act; they are also in the Order in Council passed in connection with Prince Edward Island and British Columbia.

Mr. R. L. BORDEN. The minister will remember that Manitoba was constituted a province immediately upon its becoming a part of the Dominion of Canada, while Prince Edward Island and British Columbia were not united to the Dominion until they became provinces.

Mr. FITZPATRICK. I have adopted that clause because these cases are the only cases in which territories came in as territories, and provinces came in as provinces. I think the words are found in the Manitoba Act, and in the Order in Council relating to British Columbia and Prince Edward Island, and I do not like to depart from them.

Mr. R. L. BORDEN. I expected the Minister of Justice would make that answer. I will not discuss the matter any further to-night, though I may discuss it again on the third reading.

Amendment (Mr. R. L. Borden) negatived on division.

Progress reported.

On motion of Sir Wilfrid Laurier, House adjourned at 1.50 a.m., (Friday).

HOUSE OF COMMONS.

FRIDAY, June 30, 1905.

The SPEAKER took the Chair at Three o'clock.

RELIEF OF ARTHUR HERSEY.

Mr. L. P. DEMERS moved:

That leave be given to the Select Standing Committee on Miscellaneous Private Bills to employ the services of a stenographer to take down such evidence as the committee may deem necessary in connection with Bill (No. 167) for the relief of Arthur O. Hersey.

Motion agreed to.

Mr. R. L. BORDEN.

PRINCE EDWARD ISLAND RAILWAY—LAND EXPROPRIATIONS.

Hon. H. R. EMMERSON (Minister of Railways and Canals). I beg to lay on the table a return in answer to an order of the House of Commons, dated 13th March, 1905, calling for copies of all correspondence, letters, petitions and so forth, in possession of the government, or of any member or official thereof, relating to land damages claimed by Thomas Curley and Charles Mitchell and others, of the village Green, Prince Edward Island, for land expropriated for the Murray Harbour branch of the Prince Edward Island Railway. I might explain to the House that there is missing from this return a petition or copy of a certain petition that is referred to in the other papers. A thorough search has been made for that petition here and at Moncton, but there is no record that it was ever actually filed in the department, and we can get no tidings of it from the general manager or from the superintendent of the Prince Edward Island Railway.

COMPANIES' ACT AMENDMENT.

Hon. R. LEMIEUX (Solicitor General) moved for leave to introduce Bill (No. 187) to amend the Companies' Act, 1902.

Mr. R. L. BORDEN. Might I ask the Prime Minister if that is a government measure?

Hon. CHAS. FITZPATRICK (Minister of Justice). It was introduced by the Secretary of State in the Senate, but I do not think that so far the government has given much consideration to the provisions of the Bill.

Mr. R. L. BORDEN. If it were a government measure I intended to ask for an explanation of its provisions.

Mr. FITZPATRICK. We will let the first reading stand over until to-morrow.

Motion withdrawn.

HALF-BREED SCRIP.

Hon. GEO. E. FOSTER. Before the Orders of the Day are called, I would like to ask the First Minister if he can give any information with reference to counsel being appointed for the commission to inquire into the issue of half-breed scrip. I understood him the other day to be favourable to having counsel appointed on both sides. That commission opens on the 25th of July, and I would like very much to know what provision is to be made for counsel on the side of the charges and of the grievances.

Sir WILFRID LAURIER. The matter has not been considered yet, and I am not in a position to answer my hon. friend to-day.

Mr. R. L. BORDEN. The Prime Minister may possibly remember that when some inquiry was made with regard to the irregularities that have taken place in the elections throughout the Dominion, the government at that time assented to the proposal that counsel should be appointed on both sides to represent, not only one side of the question, but also to bring forward and put into the hands of the commission any irregularities, any frauds, of which there was information in the possession of hon. gentlemen on either side of the House. So far as the present matter is concerned, it would appear that there are two considerations. One is the consideration of protecting the rights of the half-breeds ; the other is the consideration of seeing that the public interests are protected in regard to all transactions with the Department of the Interior. Now, as to both of these features, I desire, as I presume it must be the desire of the government, to have a fair investigation and a fair consideration, but it is difficult to see how that can be accomplished unless the suggestion of the hon. member for Toronto is adopted. There should be counsel in whose hands information can be placed in regard to what has been alleged concerning the half-breeds, and also as to the alleged intention of this gentleman and those associated with him to utilize this Order in Council for the purpose of acquiring profit to themselves out of what was intended exclusively for the benefit of the half-breeds. I think my hon. friend has made a very fair proposal, and I would be inclined to think that the investigation could not be very thorough or satisfactory unless some such plan is adopted.

Sir WILFRID LAURIER. I have only to repeat what I said the other day, when the hon. member for North Toronto (Mr. Foster) called the attention of the government to it, that we have not yet taken the matter into consideration. But I will think over the suggestion, and perhaps on Monday, if the hon. gentleman will repeat his question, I can tell him what we will do.

Mr. FOSTER. I would ask the Minister of the Interior to facilitate as much as possible the production of the papers asked for. There has been a lull of serious dimensions of late. I am not able to satisfy my desire for an examination so far as I would like to.

Mr. OLIVER. All right.

INQUIRY FOR RETURN.

Mr. T. S. SPROULE. Before the Orders of the Day are called, I moved for two returns a while ago—one from the Department of the Interior with regard to grazing leases, and another showing the number of employees in the civil service appointed since 1896. Neither of these returns have been brought down. I would like to know if the government can give us any information as to what rate of progress is being made in getting these out.

Hon. FRANK OLIVER (Minister of the Interior.) In regard to the return of grazing leases I am compelled to say that the return has been ready for same days and that it is owing to inattention on my part that I am not able to lay it on the table of the House to-day, but I can assure my hon. friend (Mr. Sproule) that it will be here on Monday without fail.

Mr. SPROULE. In regard to the other I think the right hon. leader of the government (Sir Wilfrid Laurier) took a note of it a few days ago, but we have had no result since.

Sir WILFRID LAURIER. I am sorry to say that we have not.

PROVINCIAL GOVERNMENT IN THE NORTHWEST.

House in Committee on Bill (No. 69) to establish and provide for the government of the province of Alberta.—Sir Wilfrid Laurier.

On section 2—British North America Act, 1867 to 1886, to apply.

Mr. MONK. I gave notice of an amendment to this section on the 15th of the present month. I will read the proposed amendment. It is proposed to add to clause 2 of the Bill the following paragraph:

Either the English or the French language may be used by any person in the debates of the legislative assembly of the province and in the proceedings of the courts, and both these languages shall be used in the records and journals of such assembly and all laws made by the legislature shall be printed in both languages: provided, however, that the said legislative assembly may by law or otherwise regulate its proceedings and the manner of recording and publishing the same and the regulations so made shall be embodied in a proclamation which shall be forthwith made and published by the Lieutenant Governor in conformity of the law and thereafter shall have full force and effect.

The object of this motion, Mr. Chairman, is not, as some have supposed, to attempt to introduce the dual language into these two new provinces. Nor is it an attempt to force the French language upon the two new provinces. To describe the amendment in that way is a very incorrect proceeding. It is sought, on the contrary, by this amendment to maintain the constitutional provision in the law of the Northwest Territories which has always existed from time immemorial and it is also sought to secure the maintenance of the solemn agreement which was entered into when Rupert's Land was incorporated into and became a part of the Dominion of Canada. I would like to call the attention of the committee, because I would like to be as brief as pos-

sible, to the amendment of which my hon. friend the Minister of Justice (Mr. Fitzpatrick) gave notice on the 26th June inst. It was an amendment intended to replace clause 24, and it reads as follows:

> The Northwest Territories Act, being chapter 50 of the Revised Statutes, and all Acts amended thereof are hereby repealed as respect to said clauses, provided that notwithstanding such repeal so much of the said Acts and of any order or regulation made thereunder as was in force immediately before the coming into force of this Act, and is not inconsistent with anything contained in this Act or as to which this Act contains no provision intended as a substitute therefor shall continue in force in the said clause in pursuance of and for the purpose of section 15 of this Act.

As hon. members no doubt remember, section 15 provides for the maintenance of the Northwest Territories Act until the provisions thereof, which are not repealed under the section which I have just read, are either abrogated, amended or changed by competent authority; that is, by the imperial parliament, or by the Dominion legislature or by the provincial legislature itself. At the time when the amendment which I have just mentioned of my hon. friend the Minister of Justice was submitted to the House I asked the hon. minister if it was not the case that the provision of law which had existed in the Northwest Territories ever since their complete organization regarding the local use of the French language was not continued by this very Act, and if it was not the case that it was so continued. I pointed out that it might fairly be claimed by the local legislature that it was a provincial matter and that consequently the legislatures of these two provinces might claim the right to abrogate that old disposition of law and abolish completely the use of the French language. My hon. friend the Minister of Justice was of the opinion, and no doubt correctly, that the clause in the law was continued, the clause which dates from the year 1877, but he also added that in his opinion it was a local matter and that the provincial legislature might validly abrogate that disposition of law. He further declared that in his opinion it was a matter that should be left entirely to the discretion of the legislature. I do not wish to go too fully into the history of this legislation, which it is my desire to see continued for many reasons, but there is so much ignorance abroad as to the circumstances under which the French language was adopted in Manitoba and the Northwest Territories that it is absolutely necessary to refer at least to some of the important and governing facts. I may say that I have received from my electors and others many communications in regard to this amendment, and amongst other communications there was one from a very intelligent man who should have some knowledge of the history of this country and who asked me to point out to him in what clause of the treaty of Paris there was any stipulation providing for the maintenance or existence of the French language in the Northwest Territories. This betrays, as hon. members who have some knowledge of history, will no doubt admit, a very great ignorance of the circumstances, though comparatively recent in the history of this country. I will, therefore, briefly state to the House what was the origin of this legislation, in what sense it is to be considered as an agreement of a most binding nature, and why, in my opinion, it is incumbent upon us at the present moment to wish for the maintenance of this constitutional provision in the Act which we are about to pass. As hon. members are no doubt aware, after the formation of the Canadian confederation and the passage of the British North America Act two members of the new Dominion cabinet, Sir George Cartier and the Hon. William Macdougall were deputed to England to interview the imperial authorities, and in pursuance of the scheme of confederation, to have incorporated in the new confederation that vast territory in the west known as Rupert's Land. These negotiations were successful and culminated in the passage by the imperial parliament in 1868 of the Rupert's Land Act which gave power to the imperial government to treat with us as to the cession and abandonment to the Dominion government of that large territory which we coveted the moment we became a confederation. Sir George Cartier and his colleague returned to Canada after the Order in Council had been passed under which all the rights of the Hudson Bay Company in that territory having been settled, it became incorporated into the Dominion of Canada. Upon their return to Canada proceedings were taken by the Dominion government to take possession of this newly acquired territory. As hon. members are aware —it is a story that has been often told in this House—the inhabitants, then settled principally on the Red river, offered a strenuous resistance to the taking possession of that territory by the Dominion government. They organized as a provincial government and prepared to resist violently the arrival of the new governor of these territories, the envoy of the Dominion government. We, on our side sent out an armed expedition with the knowledge and co-operation and assistance of the imperial authorities. At this juncture, and in order to avoid bloodshed the imperial authorities intervened and instructions were given to Sir John Young then Governor General of Canada, by Lord Granville, Colonial Secretary, to solicit 'pourparlers' with the residents of the Territories, and to make with them the best terms possible, giving them every guarantee that the rights which they had enjoyed under the semi-paternal government of the Hudson Bay Company would be preserved to them, and telling them that by submitting

to the new Dominion government they would not be deprived of any of the privileges of any kind which they had enjoyed up to that time. I wish to show as briefly as possible the nature of the negotiations entered into between the people known then as the Red River colony—in reality the only white and civilized inhabitants of Rupert's Land—and the Dominion government. Perhaps I had better read a recital of the facts such as they took place at that time from the narrative of Archbishop Taché, himself a prominent actor in these events and whose interference was solicited by the Dominion government in order that he should by his influence endeavour to bring about a successful issue of the conference, prevent violence and armed resistance by the people of the Red River, and secure to them what they considered—and very properly considered as British subjects—their rights, as a condition precedent to their entering under the control of the new authority. This is from Archbishop Taché's statement :

I may be permitted to review certain portions of our history, perhaps not too well known. In 1868 two delegates of the Canadian government, Sir George Cartier and the Hon. Wm. Macdougall, were sent to England to negotiate with the imperial government and the Hudson Bay Company for the acquisition of Rupert's Land and the Northwest Territories. After long deliberations the conditions of the transfer were agreed to by the interested parties.

Meanwhile Earl Granville, then Secretary of State for the Colonies, though rejoicing at an agreement he had so largely contributed to secure, felt a little uneasy about the future condition of the old inhabitants of the country, and, to relieve his anxiety, addressed to Sir John Young, then Governor General of Canada, a despatch dated the 10th of April, 1869, from which I quote the following paragraph :

I am sure that your government will not forget the care which is due to those who must soon be exposed to new dangers, and in the course of settlement be dispossessed of the lands which they are used to enjoy as their own or be confined within unwontedly narrow limits.

That government, I believe, has never sought to evade its obligations to those whose uncertain rights and rude means of living are contracted by the advance of civilized man. I am sure that they will not do so in the present case, but that the old inhabitants of the country will be treated with such forethought and consideration as may preserve them from the danger of the approaching change and satisfy them of the friendly interest which their new governors feel in their welfare.

To remedy the evil, Lord Granville telegraphed to the Governor General advising the issue of a proclamation in the name of Her Majesty in order to quiet the minds of the disturbed. In that proclamation of the 6th December, 1869, we read :

Her Majesty commands me to state to you that she will always be ready through me as Her representative, to redress all well-founded grievances and any complaints that may be made or desires that may be expressed to me as Governor General.

By Her Majesty's authority I do therefore assure you that on union with Canada all your civil and religious rights will be respected.

Lord Granville having heard of the proclamation and of the goodwill of the Canadian authorities, wrote as follows to Sir John Young on the 8th January, 1870 :

I observe with great satisfaction the anxiety manifested by the Canadian government to avoid any collision with the insurgents in the Red River settlement and to exhaust all means of explanation and conciliation before having recourse to force.

Unfortunately the difficulties of communication prevented the knowledge of the proclamation being imparted to the interested parties at Fort Garry, and on the other hand the same difficulty of communication left the Canadian officials at Pembina in the greatest uncertainty. Expecting that the affairs were progressing as understood when they left Ottawa they thought they had but to proclaim the transfer and secure by force their entry in the Northwest Territories. They acted in accordance, but the result was altogether contrary to their hopes, and the difficulties were increased to such a lamentable extent, that Lord Granville expressed his regrets to the Governor General in a despatch dated 20th January, 1870.

I much more seriously regret the proclamation put forth by Mr. Macdougall and the commission issued by him to Colonel Dennis. Those proceedings do not render Her Majesty's government less desirous of the restoration of tranquility under the authority of the Dominion, but they have certainly enhanced the responsibility of the Canadian government.

I enter into some of these details in order to show the extent of the participation of the imperial government, and what followed ; and also to show with some degree of detail under what circumstances the solemn covenants to which I am about to refer were entered into. The Dominion government finally invited the settlers of the Red River settlement then organized as a provincial government—or at any rate organized in such a way as to be in a position to name representatives—the Dominion government invited the residents of the Red River to send delegates to Ottawa, to meet the Dominion government and to lay before that government the claims, the pretentions, and the desires of the residents of Rupert's Land and the Red River, so that an arrangement might be arrived at which would be satisfactory to these residents and lead to the peaceful taking possession of this vast territory by the Dominion government. There was a meeting of the members of the provincial government at Fort Garry, at any rate in the Red River settlement, and delegates were deputed to Ottawa, in conformity with the wish of the Dominion government, at the suggestion of the imperial government, and in order to carry out the intentions to which I have just referred. After an election had been made, a regular commission was issued to Judge Black, Mr. Albert Scott and Father Ritchot as representing the residents, to lay their claims before the Dominion authorities. Perhaps I may read the commission issued to these three delegates, in order to show

the regularity of their nomination, which, I may say, has never been questioned :

To John Black, Esq :

Sir,—The president of the provisional government of Assiniboia in Council, by these presents, grants authority and commission to you, John Black, Esq., jointly with the Rev. N. J. Ritchot and Hon. A. Scott, to the end that you betake yourselves to Ottawa, in Canada ; and that when there you should lay before the Canadian parliament the list entrusted to you with the presents, which list contains the conditions and propositions under which the people of Assiniboia would consent to enter into confederation with the other provinces of Canada.

Signed, the 22nd day of March, in the year of our Lord, one thousand eight hundred and seventy.

By order,
(Sgd.) THOMAS BUNN,
Secretary of State.

The delegates proceeded to Ottawa. Upon their arrival here a committee of the Privy Council of Canada consisting of Sir John A. Macdonald and Sir George Cartier were named to confer with the delegates. I may mention that upon their arrival here two of the delegates were arrested. They were subsequently released and were able to proceed with the execution of their mission. They held several conferences with the Dominion ministers, and laid before them the list of rights which had been confined to them by those who had named them, and which they had brought with them to Ottawa. Hon. members will remember that there has been a controversy as to the authenticity of the Bill of Rights. The authenticity of the one called No. 4 has been questioned. That controversy is important only in so far as the educational settlement is concerned, because in one of these Bills of Rights the school privilege is not mentioned, but in both, in the same terms and in the same article, the important question of the preservation of both languages is mentioned in identical terms. I may say that at that time the French-speaking residents of that large district were in the majority. It is clause 16, strange to say, of the Bill of Rights which is in the following words :

That the English and French languages be common in the legislature and in the courts, and that all public documents as well as all Acts of the legislature be published in both languages.

Now, I will not trouble the House with a recital of what passed at the numerous interviews between these delegates and the Dominion ministers. Some of these results have been published and some have not ; but it is necessary only to state that, as a result of the conferences between these representatives of the old residents of the district and the Dominion government, many of the articles mentioned in the Bill of Rights were agreed to, among which was this article 16 referring to the languages. That was granted unreservedly ; and, as the Act creating the province of Manitoba was then under consideration by the House, in order to prove its good faith and its desire to carry out the covenant, the delegates were invited by the Dominion government to remain here until the Manitoba Act had passed through its different stages in parliament. It is a historical fact that at that time their labours were finished and they wished to return home. They were detained here until the third reading of the Manitoba Bill, in order that they should see incorporated in the charter of the new province this clause of their Bill of Rights, in which they had mentioned as a condition of their entry into confederation the adoption of both languages as legal ; and presumably that was stipulated at that time in the interest of the English-speaking residents, who were in the minority. The imperial authorities were kept au fait with all that was going on, and I wish to quote briefly, in support of this statement, which I deem to be one of considerable importance under the circumstances, some despatches exchanged between Sir John Young, the Governor General, and Earl Granville, who was at the head of the colonial department. On the 5th of March, 1871, Earl Granville telegraphed to the Governor General :

Her Majesty's government will give proposed military assistance provided reasonable terms are granted to the Red River settlement.

On the 22nd of March a despatch from the Under Secretary of the Colonies directs that :

Troops should not be employed in forcing the sovereignty of Canada on the population of Red River, should they refuse to admit it.

On the 17th of March Earl Granville cabled :

Let me know by telegram when you know delegates have started from Fort Garry.

On the 7th of April the Governor General telegraphed as follows :

Last of the delegates is expected at St. Paul on Thursday the 11th ; the others arrived there to-day, and may reach Ottawa on Saturday, the 9th.

On the 9th Earl Granville cabled :

Let me know as soon as you can by telegram the result of negotiations with Red River delegates.

On April 23rd, Earl Granville thus informed the Governor General :

The Canadian government to accept the decision of her Majesty's government on all portions of the settlers' Bill of Rights.

On May 3rd, the Governor General cabled to the home government :

Negotiations with the delegates closed satisfactorily.

And to this Earl Granville replied on the 8th :

I take this opportunity of expressing the satisfaction with which I have learned from your telegram of the 3rd instant that the Canadian government and the delegates have come to an understanding as to the terms on which the settlers in the Red River should be admitted into the union.

I mention these despatches in order to show to the committee that the imperial government was kept in constant knowledge of the negotiations going on here between the Dominion government and the delegates and ratified and approved of everything that was done by the new government. We have, therefore, the imperial government, the previous ruler of that territory, a party to the covenant arrived at between the Dominion government and the delegates, and this is, I think, a matter of some importance. In the Manitoba Act which was passed here creating the new province the articles of the Bill of Rights were inserted and, as is well known, submitted to the delegates for their approval before they were passed through parliament. My hon. friend from East Grey (Mr. Sproule) has suggested the possibility that this covenant applied only to Manitoba. Now it applied to the entire new territory. It was so understood by all parties treating during the negotiations and, as a matter of fact, effect was given to the covenant and the agreement arrived at as soon as possible after the delegates of the Dominion had agreed and that question has never been raised since. As a matter of fact while the delegates were deliberating with the Dominion ministers there was no certainty as to the creation of the province of Manitoba with its present limits. Correspondence which I need not read here shows, and it is a fact of history that it was supposed when the new territory of Rupert's Land was taken possession of, when delegates came down here, that one government, either a provincial or some kind of government, would be organized for the whole new territory, and it was only after the delegates had stipulated for their rights that the limits of the new province of Manitoba were settled upon. As a matter of fact at that period the Red River settlers as they were called, were the only white civilized people in the whole of Rupert's Land. The country back of that, which had been discovered was hunted over, inhabited by Indians, but there were there simply occasional travellers from the Red River and the whole territory was known as Rupert's Land. I submit that the whole of that territory has to be considered and was understood by the Dominion government as coming under all the protective clauses stipulated for in the Bill of Rights and it was so understood, as my hon. friend from Beauharnois (Mr. Bergeron) mentions, by the British government. A careful perusal of the negotiations, of the despatches and of the letters, leaves no doubt upon that point. The Manitoba Bill was carried through the House and when sections 22 and 23 are to be found, the stipulations concerning the educational system and language. I shall read section 23 of the Manitoba Act which remained in force until it was abolished by the provincial legislature in 1890. This is the section :

Either the English or the French language may be used by any person in the debates of the Houses of the legislature and both these languages shall be used in the respective records and journals of both Houses and either of these languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under the British North America Act, 1867, or in or from any or all of the courts of the province. The Acts of the legislature shall be printed and published in both of these languages.

During the first five years of the rule of the Dominion over the Northwest Territories provision was made for the administration of these Territories by temporary Acts which I shall not refer to. In 1875, under the Mackenzie government, it was determined to establish there a stable, regular government with a certain amount of autonomy, although even these organizations with their autonomy were still kept under the control of the provincial legislature. Mr. Mackenzie caused the adoption of the statute 38 Victoria, chapter 49, and in that legislation, under article 2, will be found a stipulation or a provision in regard to separate schools ; but in the statute of 1875 there was no provision of the nature referred to in section 23 of the Manitoba Act in regard to the reservation of the French language. It was an oversight which parliament repaired in 1877. I referred to the Act passed in 1877 which provides as follows :

Either the English or the French language may be used by any person in the debates of the said council and in the proceedings before the said courts, and both these languages shall be used in the records and journals of the said council and the ordinances of the said council shall be printed in both these languages.

In 1880, the different Acts concerning the Territories were revised by the statute 43 Victoria, chapter 35. Article 94 of that statute contains the same disposition in regard to the French language which is to be found in the statute of 1877. In 1890, the Manitoba legislature adopted an Act abolishing the French language. That Act was not disallowed. I may say here at once, to anybody who would suggest to me that disallowance should have been made, that I do not deny that. We are dealing with circumstances as they exist to-day and consequently I do not think it is an answer to the argument which I am at present submitting to the committee to say that there was no disallowance, because those who had the power did not choose to prevent that provincial legislation, clearly ul-

tra vires, from going into force. I do not see that is an argument against my present contention. But in 1890, as many members of this committee are aware, a very great agitation began having for its object the abolition of the French language in the Northwest Territories, and indeed it is sufficient to refer to some of the speeches which were made in the House at that time to see that the object of these agitators was to achieve the complete suppression of the French language throughout the whole of Canada.

They considered—to my mind very erroneously—that unity of language was absolutely necessary for the formation here of a united people, and that there was no constitutional guarantee of any kind providing for the mantenance of the French language, either in the province of Quebec or anywhere else. It is rather astonishing, on referring to that debate, which lasted many days in this House, to find that Mr. McCarthy, who was a man of very considerable attainments, seemed to consider,—when introducing his resolution to expunge from the Northwest Territories Act, the provisions to which I am now referring—that it must have been by some mistake or oversight that this provision had been inserted in the Manitoba Act and the Northwest Territories Act. He saw no reason why there should have been such a provision. That conclusion to which he arrived seems astonishing when one is aware of the facts, a summary of which I have just given the House, and when one knows the arrangements which were made in 1870 before the Dominion government took possession of Rupert's Land. On Mr. McCarthy's resolution, the discussion took a very wide range indeed. To that discussion I propose briefly to refer in order to show why I have arrived at the conclusion that the amendment I am submitting ought to be most acceptable to this committee and House. Mr. McCarthy's Bill provided for the expunging from the Northwest Territories Act of 1877 the constitutional provision guaranteeing the preservation of the French language in the Territories. The late Mr. Davin, who was then a member of this House proposed an amendment on the second reading of Mr. McCarthy's Bill, the gist of which was that the decision as to whether that provision of the statute should be maintained should be left to the North-West assembly. To that amendment a sub-amendment was proposed by the late Mr. Beausoleil, who then represented the electoral division of Berthier. Mr. Beausoleil took a very different view, by his sub-amendment he proposed that the provision in the statute should be maintained intact. His argument was, as is mine now, that that provision had been inserted in the Northwest Territories Act, as well as the Manitoba Act, in conformity with a solemn agreement made in 1870—an agreement which could not be departed from without the evident consent of all those interested; and that it would be an absolute breach of faith with the people of the Northwest to interfere in any way with that agreement, much less remove it from the federal statute. The House divided on Mr. Beausoleil's sub-amendment, and it was negatived, but my right hon. friend the leader of the government voted in favour of it. Speaking on it, he said:

> The amendment affirms the proposition that the present state of things ought to be permanent. With this, however, I cannot agree, and although I am prepared to vote for the amendment of my hon. friend from Berthier, I cannot do so without taking exception to his statements. It is impossible to admit, for instance, that the institutions of the Northwest are permanent. On the contrary they are exceptionally temporary; they deal with a state of things which is exceptional in itself, they were devised at a time when there was no population, and they must be modified from time to time as the necessities of the case require. But at this moment to say they are permanent is a thing in which I cannot agree, except so far as they must be permanent in every particular, so long as we are not ready to give these people a more extended form of local authority. My hon. friend also says in this amendment, that since we passed this law and gave this incipient constitution to the Northwest Territories, nothing has occurred to change our views. I cannot agree with that. Everything has occurred since that time, not to change our views, but to set us thinking about what we should do at a future time, not very far off, in regard to these Territories. What has occurred is this: a population has gone into those Territories; they have been given a legislature, and that legislature has demanded certain measures—not only on the question of language, but on that of schools and on the system of government. Bearing these facts in mind it seems to me that the proper time to deal with this question will be when we are prepared to give the Territories perhaps not absolute, but a more extended form of local self-government; and when that time comes, we must be prepared to deal with this question upon the broad principle of this constitution, which has been devised for the safety of the majority and the protection of the minority, and in the light of the condition of things which may exist at that time in the Territories.

I quote my right hon. friend, in the first place, as a justification for my bringing up the question at present, because, according to what he then said, this is the proper time to deal with that question. That is one point, but there is another which I invoke in favour of the contention I have the honour to submit, and that is what my hon. friend said, namely, that when the time came to deal with this question, we must deal with it in the broad spririt of the constitution, safeguarding the majority and at the same time protecting the minority.

Sir WILFRID LAURIER. On what page is that?

Mr. MONK. Page 744 of the 'Hansard' of 1890. I will refer to what Sir John A.

Macdonald said on that occasion, although he has been quoted by my hon. friend from Labelle in support of what he said a day or two ago concerning the school law. I may say that this was a most interesting debate, from which I would quote at greater length if time permitted. I could show that upon that vexed question both parties, the moderate men on both sides of the House, came to an agreement, which is incorporated in my amendment. The agreement they came to was incorporated in a resolution finally adopted by the House, which is word for word the amendment I have offered to-day. They came to that agreement considering that the terms of the resolution as they settled it among themselves, men of different race and creed, and different political colour, was a proper settlement of that time of the needs of the Northwest, satisfying no doubt to some extent the local demand, and at the same time—because they all expressed that opinion—maintaining the sacredness of the agreement arrived at in 1870 under the circumstances I have indicated to the House. Mr. Blake suggested the substance of an amendment, but had been obliged to leave the House during the debate. Finally a form was agreed upon for which both Sir John A. Macdonald, my right hon. friend, and leading men on both sides of the House, voted. This is how Sir John A. Macdonald, towards the end of the debate, spoke upon that question:

I go a great way with my hon. friend (Mr. Laurier) in his remarks concerning the principle of this Bill. I sympathize with his very natural feelings of indignation at much of the language that has been used in support of this measure now before the House. I have no accord with the desire expressed in some quarters that by any mode whatever there should be an attempt made to oppress the one language or to render it inferior to the other ; I believe that would be impossible if it were tried, and it would be foolish and wicked if it were possible. The statement that has been made so often that this is a conquered country is 'à propos de rien.' Whether it was conquered or ceded, we have a constitution now under which all British subjects are in a position of absolute equality, having equal rights of every kind—of language, of religion, of property and of person. There is no paramount race in this country ; there is no conquered race in this country ; we are all British subjects, and those who are not English are none the less British subjects on that account. But while I say so much, Mr. Speaker, I must regret that my hon. friend perhaps yielding to the necessity of his position as a party leader, should have commenced his speech with some party attacks against the Tories. My hon. friend felt constrained, I suppose, to make those allusions which, in the circumstances of the case, I think were not altogether generous or altogether politic. The hon. gentleman spoke of the spirit of this Bill being that of Toryism, utter Toryism, oppressive Toryism. Why, Sir, if he looks at the history of England in modern days, I think he will find that most of the Liberal measures passed there have been passed, if not by Tories, by Conservatives. I think also, if he will look at the history of Canada, he will find at all events, that liberality towards the French Canadian race was pretty much confined to the Conservative party. The hon. gentleman had to admit that while this Bill was, as he affirmed, an evidence of utter Toryism, the exclusion of the French language, the injury done to the French people, the insult offered to them, came from a Radical, the Earl of Durham. To be sure, my hon. friend said that Lord Durham was a Radical who did not understand all about liberty. That is quite evident ; and so great a Radical was he that in order to get rid of him the English goverment sent him to this country to show us his liberalism by attempting to deprive half the people of their rights to use their own language.

Further on, speaking more particularly of the point then under consideration, Sir John A. Macdonald said :

The reason why I oppose the Bill of my hon. friend to-day is the same—because that Bill, a small Bill, I might almost call it an insignificant Bill in its enacting clause—is based on the purpose of doing away with the French language, of discarding the French language, at all events, and depriving the French Canadian people of the solace of the language they learned at the feet of their mothers. Why, Mr. Speaker, if there is one act of oppression more than another which would come home to a man's breast, it is that he should be deprived of the consolation of hearing and speaking and reading the language that his mother taught him. It is cruel. It is seething the kid in its mother's milk. The greatest, perhaps, of all the objections to this measure, is that it is a futile measure, it will not succeed, it cannot succeed.

There is further matter, but I will leave that part of the case as it was stated by the great leader of the Conservative party at that time. Speaking in reference to this measure which was then under the consideration of parliament, my friend, Mr. LaRivière, then a member of this House, quoted the 'Electeur,' then the organ of the Liberal party, published in the city of Quebec, which has been succeeded by the 'Soleil' as the governmet organ in that city. I will merely read the advice which the 'Electeur' gave upon that occasion :

Our friends in Ottawa are, unfortunately, on the opposition side, that is to say, powerless to secure the triumph of their broad and liberal ideas, to which the Hon. Mr. Blake, a few days ago, gave voice in eloquent words. But we beseech them to stand firm and to do their duty to the end, and we feel that they shall have, not only the sympathies of our co-religionists and fellow countrymen, but also those of an imposing number of fair-minded English-speaking people who consider as an honour to follow the traditions of the Liberals of old England, and follow the steps of those who, in the old country, defend the cause of home rule and equality of rights for all races and all creeds under the British flag.

I might quote further from Mr. LaRivière who, upon that occasion, in a speech well worthy of perusal, went fully into this question with which he had been familiar

from the beginning, and concluded in what I would call a very eloquent peroration in favour of the maintenance of those rights. Now, Sir, I will not detain the House unduly, I merely wanted to show what is the basis of the legislation which has existed in Manitoba and the Northwest Territories—which formerly were Rupert's Land—from the very beginning, and what was the cause of that legislation. I would have added more had time permitted. I would have quoted from a book published by a very eminent lawyer, Mr. Ewart, in which this matter, as well as the school question, is gone into at great length, with documents and evidence; indeed, Mr. Chairman, evidence is necessary to show to what a shameful extent, to use the very words of Mr. Ewart, those rights so carefully stipulated for in 1870 and so well safeguarded ever since, have been invaded. It is a painful story of treachery and bad faith, there is no other qualification. Pleading before the Privy Council on behalf of the minority whose lawyer he was, Mr. Ewart stated that he would be ashamed to bear the name of a British subject if the redress which he was then seeking was not granted to the minority.

In truth, when one examines with care what has taken place, one really questions how it will be possible for people, having entered into that agreement, solemnly and carefully, and having maintained it for a time, to break it and explain their conduct. I think, Sir, that is sufficient justification for me to bring this matter before the committee and to ask that that faith which is so essential, which has been claimed as such a characteristic of British fair-play and British government, should be maintained in these Bills. Objections have been urged. Strange to say, I have seen the objection that this was a matter in which needless expense would be caused to the new province. Why, Mr. Chairman, to invoke the question of expense or of convenience where rights have been guaranteed and where it is our duty, here in this parliament, to see that this agreement is maintained is, it seems to me, to raise a pusillanimous objection. It was urged in the debate of 1890 and Sir Hector Langevin, speaking upon that point, stated that from statistics furnished to him the expense as regards the French language during the previous ten years—and he was speaking then at a time when everything had to be translated, when the work was more considerable than it is proposed to make it under this law—had averaged $400 a year. I submit to this committee that the sum of $500 or $600 a year is a small price to pay to maintain the solemn promise which we made in 1890 and to see maintained in the Northwest Territories the language of Bossuet, Fénélon, Bernardin de Saint-Pierre, and of the more modern writers of France, and the language which is used in diplomacy throughout the world to-day. It is a small price to pay to maintain this language in those remote provinces that have a future before them and to maintain the traditions of the men who discovered that great western territory and of the first settlers who went up there, of La Verendrye and the other courageous discoverers of the Rocky mountains who were the first settlers in that region, and when their descendants were called upon with the advance of events and with the progress of civilization to give up the control of that country to the Dominion government they stipulated with the Crown of England and stipulated with ourselves that that constitutional provision should remain guaranteed to them, not for a specific time but for all time throughout these Territories. There has been the objection raised also that the vast majority of the people in those Territories speak a different language. I will not answer that objection because it does not seem to me to be an objection which can be urged against the amendment which I have the honour to submit to this committee. People have gone so far as to say that if this particular constitutional guarantee is maintained in favour of the French language we should grant it equally to the Russian settlers, to the Doukhobors and to the Icelanders. But the members of this committee must see that the position of the French language in that country is a very different one from that of the languages of these other people, because these people are modern immigrants who have recently gone into that country. The others were the pioneers of the country and, as I stated before, they obtained that guarantee which to us ought to be sacred. Besides, there are thousands of the descendants of these men in that country, and even if they were fewer, still I consider that that fact has nothing to do with the duty which we have to perform here. From the remarks which were made by my hon. friend the Minister of Justice I inferred that he was of the opinion that this might be considered a local law after the creation of these provinces, and that under section 15 of the Act being a purely local matter, it might legitimately be legislated upon by the new legislature. If there is a danger of other people taking the same view as that of the hon. Minister of Justice I think that is all the more reason for us, if there is any validity in the arguments I have presented to the committee, making the necessary provision to guard against such a contingency. But, is it a local matter ? Can it be said that this agreement which covered the whole of Rupert's Land, that this law which has applied for the last thirty years to these two provinces and which also concerned the province of Manitoba, the maintenance of which not only concerns the federal parliament but concerns the Crown of England, can be considered as a purely local matter

within these provinces ? I think not. It is nothing or it is a constitutional provision. It is not only a Dominion matter but it is an imperial matter in a certain sense, and the moment would be badly chosen in my estimation, Mr. Chairman, when we are the witnesses to the carrying out by the King of England of a policy of entente cordiale, of a policy of conciliation which has been carried out between the two great ruling nations of England and France, to tear asunder an agreement arrived at with that small colony of settlers, if you like, but British subjects of Her late Majesty, the mother of the present King in 1870

Mr. Chairman, I am no believer, and I have often so stated, in what Mr. McCarthy, in 1890, termed the unification of the Canadian people by the sacrifice of race, religion or anything of that sort. It is an impossible and Eutopian task anyway. No man has yet invented the secret of causing a nation worthy of the name, a nationality with all its distinctive characteristics and traits to disappear or to be merged into another nationality. Nor, are these conditions, as might be supposed, general even in the United States. I think that in four states of the Union there are two or more languages that are official or legal. In autocratic Russia, the government, certainly not a liberal one, tolerates the legal use of a hundred different languages. There are only four countries in Europe where there is one language absolutely and those are Italy, Portugal, Denmark and Greece. The policy of the British government has been one of unsurpassed unequalled tolerance as regards language and in that great empire, the greatest that the world has ever known, there are to-day forty-seven different languages. It does not in any way interfere with, but on the contrary it helps the autonomous and Liberal government of that great empire. Under these circumstances, Sir, there is great justification for the amendment I have moved. To carry it into effect will cause little expense and inconvenience, and it clearly maintains not only the honour of this parliament and this government, but the honour of the British Crown itself, which is something worth being maintained to British subjects. It would have been extremely regrettable had this matter not been brought to the notice of this parliament. I will do my English speaking colleagues the justice of saying that I feel perfectly convinced that if this matter had been one particularly committed to their care, not one of them would have failed in his duty of bringing it to the attention of parliament. I require no justification I am sure, from the French speaking members of this House, for having, I think in moderate language placed this question before the parliament of our country. I have been severely criticised by certain newspapers for having done so, but my conscience is easy on that point for I feel that I have only discharged a simple duty. Before I resume my seat I wish to refer very briefly to a newspaper article published in the Montreal 'Sunday Sun in which I am taken to task in the most venomous manner for having ventured to express my determination to move this amendment. There is a despatch in that newspaper which I will not take up the time of the House to read, purporting to come from Ottawa but which I am sure has been fabricated in an office in Montreal which attributes very unworthy motives to me. That newspaper has been sent under cover to the members of this House and perhaps circulated elsewhere or I would take no notice of it. I suppose I ought to say that I deny the allegations contained in that article, and perhaps I may add that I have very little consideration for the 'alligators.' I think that any one who reads that article and who afterwards takes cognizance of what I have reasonably presented to the House, will come to the conclusion that I have simply discharged my duty, and, standing on that vantage ground the attacks of these people directed against me for some years back—low, scurrilous and mendacious as they are— will never reach me.

Some hon. MEMBERS. Hear, hear.

Mr. LEMIEUX. I have read the article to which the hon. member (Mr. Monk) has just referred, and as my name is mentioned in that despatch purporting to be sent from Ottawa, I may say to the House that from the beginning to the end the article is a tissue of falsehoods. It is there alleged that my hon. friend (Mr. Monk) has enjoyed my hospitality with the view of coming into the true fold, and placing himself in the ranks of the Liberal party. It is my great privilege to be a friend, a true friend, of the hon. member for Jacques Cartier (Mr. Monk), but let me assure the House that there has never been between us any compact with a view of bringing that hon. gentleman over to the Liberal party. And if there had been the attitude taken by my hon. friend (Mr. Monk) on this question today would show conclusively that he intends to remain in the Conservative party. His speech, a very able speech, is a most seductive one, especially to the province of Quebec. My hon. friend (Mr. Monk) reminds me of a certain statesman in England who, having been selected to lead the forces of a great party against the government of the day ; seeing no cloud on the horizon; seeing all round him the prosperity of Great Britain; seeing there was no chance for his party to attain power, asked his friends what he should do to educate the people of the country to support the views of his party. And one of his friends answered : Sir, you have only one thing to do, you must advertise for a grievance. I suppose that my hon. friend from Beauharnois (Mr. Bergeron) and the gallant little

band of French Canadian Conservatives who sit opposite me. have held caucus since clause 16 has been adopted, and seeing that there was no chance for them to agitate the province of Quebec on religious grounds, have decided to advertise for a grievance on racial grounds.

Mr. BERGERON. Would my hon. friend (Mr. Lemieux) pardon an interruption. Does he pretend to say that the hon. member for Labelle (Mr. Bourassa) and the hon. member for Montmagny (Mr. Lavergne) were at that caucus.

Mr. LEMIEUX. I am speaking of the French Canadian Conservatives, and I did not mention these two hon. gentlemen. Now. Sir, the hon. member (Mr. Monk) who at this very late date has advertised this grievance has not informed the House whether he holds a brief from any of the French Canadians in the Northwest to represent them on the floor of this House. May I ask the hon. gentleman, if before bringing this vexed question before the country he received one solitary petition from the French Canadians who live in the Northwest Territories.

Mr. SPROULE. If that argument is sound would it not apply with equal force to the education clause against which there were floods of petitions.

Mr. LEMIEUX. We are not dealing with the school question.

Mr. SPROULE. If your argument is sound it ought to apply in one case as well as in the other.

Mr. LEMIEUX. We are not dealing with the school question; that question has been solved, happily for the country, by the vote taken last night. I am referring to the dual language and I ask the hon. gentleman (Mr. Monk), who seems to have clung to this grievance in view of future elections in the province of Quebec, if he has received one solitary petition from any of the French speaking electors in the Northwest Territories.

Mr. MONK. If I get the Solicitor General one petition will he vote for my amendment ?

Mr. LEMIEUX. That is not the question.

Mr. MONK. I assure my hon. friend that I can get a great many petitions of that kind.

Mr. LEMIEUX. My hon. friend is evading the issue. I asked if he had received one petition from the Northwest Territories.

Mr. MONK. I have received no petition, but I can tell my hon. friend that I have been told by a great many people who have no political axe to grind that it would be a disgrace to us in the province of Quebec if this question were not at least raised in this parliament.

Mr. LEMIEUX. The explanation given by the hon. gentleman (Mr. Monk) is perfectly clear. He wants to agitate ; he is anxious to get some French Canadian votes in the province of Quebec, to embarrass the government and to create trouble. That is the whole question. The hon. gentleman began his remarks by asserting that there was a treaty made between the citizens of the Northwest Territories and the Dominion government, and inferentially with the imperial authorities, that the French language would be guaranteed to the French Canadian minority. He read from Mr. Ewart's book on the Manitoba school question what purported to be the Bill of Rights of the citizens of the Northwest Territories. My hon. friend read a long recital of the articles contained in that famous Bill of Rights. I have here, Sir, the sessional papers published in 1870, and I see in them the list of rights which was submitted, together with a letter, signed by John Bruce and Louis Riel, to Mr. Macdougall, who had been sent as the first lieutenant governor of the Red River settlement. The first of these was:

> That the people have the right to elect their own legislature. That the legislature have the power to pass all laws locally in the Territories over the veto of the executive by a two-thirds vote.

And finally, the tenth:

> That the English and French languages be common in the legislature and courts, and that all public documents and Acts of the legislature be published in both languages.

And the list of rights adds :

> All the above articles have been severally discussed and adopted by the French and English representatives, without a dissenting voice, as the conditions upon which the people of Rupert's Land enter into confederation.

I claim that the Northwest Territories were not concerned with that list of rights. but only the Red River settlement. Mr. Riel and Mr. Bruce were speaking on behalf of the inhabitants. Therefore, the so-called guarantee of the imperial government and of the Dominion government applies only to the French Canadians and French halfbreeds who resided on the shores of the Red river. I may mention that after this list of rights had been submitted to Mr. Macdougall, pourparlers took place between the Dominion government, Sir John Macdonald was then premier, and delegates were sent here, not from the Northwest Territories, but from the Red River settlement: and immediately thereafter the Act creating the province of Manitoba, and containing in so many words about the same guarantees as had been asked in the list of rights, was passed by this parliament and ratified by

the imperial authorities. In 1875, the Act organizing the Northwest Territories was passed ; but you will notice that in that Act, there is not a line concerning the use of the French language in the legislature of the Territories or in the courts. It was only in 1877, in a Bill introduced by the late Hon. Mr. Mills, and moved in the Senate by the Hon. Mr. Scott, the present Secretary of State, that a clause was inserted on that subject upon an amendment moved I think, by the late Senator Girard. That clause, which appears as clause 11 in the Act of 1877 and clause 110 in the Revised Statutes, reads as follows :

Either the English or the French language may be used by any person in the debates of the said council and in the proceedings before the courts, and both these languages shall be used in the records and journals of the said council, and the ordinances of the said council shall be printed in both these languages.

At that time there was a comparatively large French Canadian element in the Northwest Territories. That Act passed the House of Commons and became the law of the Northwest Territories, and remained so until 1890. The House is aware of the agitation which took place as a result of the campaign led by the late Mr. Dalton McCarthy. Mr. McCarthy advocated the abolition of the separate schools system, and the abolition of the French language in the Northwest Territories and in the Manitoba legislature. The older members of this House are conversant with the Bill which was introduced during the memorable session of 1890 by Mr. Dalton McCarthy. In the preamble of that Bill Mr. McCarthy declared that it was essential to the welfare of the country that there should be one language only; but the enacting clause only proposed to abolish the use of the French language in the Northwest assembly. I may say that a few months or perhaps a year before, the Northwest assembly had practically unanimously decided to expunge the French language from its records and its deliberations. The Bill of Mr. McCarthy was of a very radical nature, especially the preamble, which conveyed the idea that if it were passed by the House of Commons of Canada, it meant that not only in the Northwest Territories the French language be abolished, but that it would be the signal of a campaign against the use of that language in this parliament and even in the province of Quebec. In fact, Mr. McCarthy and several other gentlemen made a very bitter campaign against the separate school system and the dual language. What happened then ? The Bill was introduced in the House of Commons by Mr. McCarthy. Our late colleague (Mr. Davin) who represented the constituency of Assiniboia and who at that time, when the Northwest was represented, I think, only by two or three members, was the spokesman of his fellow members, moved an amendment to the effect that this House should not pronounce on the use of the French language in the Northwest Territories, but that the legislature be authorized to deal alone with that question. The words of his amendment were:

That the said Bill be not now read a second time, but that it be resolved that it is expedient that the legislative assembly of the Northwest Territories be authorized to deal with the subject matter of this Bill by ordinance or enactment after the next general election for the said province.

That was Mr. Davin's amendment. Mr. Beausoleil's sub-amendment was :

That all the words after the word 'resolved' in the amendment be struck out and the following be inserted instead thereof :

That the official use of the French and English languages in the legislature and the courts of the Northwest Territories, was established by this parliament in the well understood interests of the people of the said Territories, in order to promote the good understanding and the harmony that should exist between the different races, and with a view, by a liberal policy, to promote the colonization and settlement of those vast domains ; that nothing has happened since to excuse or justify the withdrawal of the privilege granted only a few years ago ; that the result of the proposed legislation would be to create uneasiness and discontent throughout the Dominion and to put in doubt the stability of our institutions, and hereby to hinder and delay for a long time the development of the immense resources of the Canadian Northwest.

I may say that only one French Canadian member voted against Mr. Beausoleil's sub-amendment ; that was the late Sir Adolphe Chapleau, then Secretary of State. The debate went on and Sir John Macdonald delivered probably the most remarkable speech of the latter part of his career. He appealed to the leader of the opposition (Sir Wilfrid Laurier) he appealed to Mr. Blake, who was a member of the House, and he asked especially Mr. Blake to join hands with his Minister of Justice, Sir John Thompson in framing an amendment which would embody the sentiments, the aspirations, and the opinions of all those who sat in the House of Commons. To that effect the following amendment was moved, replacing the amendment of Mr. Davin :

That this House, having regard to the long continued use of the French language in old Canada, and to the covenants on that subject embodied in the British North America Act cannot agree to the declaration contained in the said Bill as the basis thereof, that it is expedient in the interest of the national unity of the Dominion that there should be community of language amongst the people of Canada ;

That, on the contrary, this House declares its adherence to the said covenants and its determination to resist any attempt to impair the same ;

That, at the same time, this House deems it expedient and proper and not inconsistent with those covenants that the legislative assembly

of the Northwest Territories should receive from the parliament of Canada power to regulate, after the next general election of the assembly, the proceedings of the assembly and the manner of recording and publishing such proceedings.

This was on February 21st, 1890.

Mr. MONK. The amendment which I presented is copied from that.

Mr. LEMIEUX. This is the amendment of Sir John Thompson. It was carried by a vote of 149 against 50. I see the name of my hon. friend the member for Beauharnois (Mr. Bergeron) who voted yea. That is to say he voted that,

This House deems it expedient and proper, and not inconsistent with these covenants, that the legislative assembly of the Northwest Territories should receive from the parliament of Canada power to regulate, after the next general election of the assembly, the proceedings of the assembly and the manner of recording and publishing such proceedings.

Mr. BERGERON. My hon. friend might have read the other vote where I voted the other way. It will be easier for me to explain afterwards.

Mr. LEMIEUX. My hon. friend voted with all the French Canadian members and a few of the English Canadian members of the House of Commons in favour of the amendment which I have read, and which was introduced by Mr. Beausoleil. So did the then leader of the opposition, Sir Wilfrid Laurier. But the amendment which was carried by the House was that of Sir John Thompson which affirmed two principles, first that Mr. McCarthy was wrong in inaugurating a campaign to abolish the French language in the province of Quebec and in the parliament of the Dominion, and second, that the legislature of the Northwest Territories should be authorized by this parliament to regulate its proceedings in whatever language it chose to have after the next general elections.

Mr. BERGERON. How did the right hon. gentleman vote on that clause ?

Mr. LEMIEUX. My hon. friend has the votes and proceedings.

Mr. BERGERON. I had them before you mentioned my name.

Mr. LEMIEUX. The hon. gentleman voted. I told him I saw his name amongst the yeas. He voted to give the legislative assembly of the Northwest Territories the right to abolish the French language. Now, Sir, what did happen ? The year after, general elections were held in the Northwest Territories, and as a result the French language was abolished on a motion made by Mr. Haultain. I may say that I have perused and read carefully the whole debate of 1890 on this question of the dual language in the Northwest Territories I may say to my hon. friend from Jacques Cartier (Mr. Monk) that if he has read it carefully as I am sure he has, he will have observed that neither Mr. Blake nor Mr. Mills nor Sir John Macdonald, nor any of those high constitutional authorities living at the time claimed that prior to the annexation of the Northwest Territories to Canada there had been a covenant between this government or the imperial government and the people inhabiting these Territories that the French language should be official.

Mr. MONK. Is that the opinion of my hon. friend (Mr. Lemieux)?

Mr. LEMIEUX. My hon. friend has only to read the list of rights. Where does he find in any treaty that the people of the Northwest Territories were guaranteed the use of the French language except in the statute passed in 1877? But let me point out to my hon. friend from Beauharnois (Mr. Bergeron), who is watching the issue of this debate so carefully in order to start an agitation in the province of Quebec, that the parliament of Canada, under the inspiration of the late Sir John Thompson, gave the legislature of the Northwest Territories the right to abolish the use of the French language.

Mr. MONK. Is not that proposition a very general one? Is that the way my hon. friend understands the resolution adopted in 1890 on the Bill to abolish the French language ?

Mr. LEMIEUX. Let me read the resolution to my hon. friend:

That at the same time this House deems it expedient and proper and not inconsistent with those convenants that the legislative assembly of the Northwest Territories should receive from the parliament of Canada power to regulate, after the next general election of the assembly, the proceedings of the assembly and the manner of recording and publishing such proceedings.

Mr. BERGERON. How would you have voted on that?

Mr. LEMIEUX. My hon. friend should not ask me how I would have voted in 1890. I was not then a member of parliament. Is my hon. friend ashamed of the vote he gave at that time ?

Mr. BERGERON. Is it not a question of principle, and when we give a population free institutions, we could not prevent their legislature from having that right. I was very much disappointed at the way the legislature abused the right we gave them. But at that time we could not deprive them of that right, and that is why we then voted as we did in company with the many of our hon. friend's opponents.

Mr. LEMIEUX. Yesterday, when I called to my hon. friend's attention the attitude he took and the vote he gave after the

separate school system had been abolished in the Northwest Territories, when I recalled to him the fact that he had not raised a finger in favour of the Catholics of the Territory, and that, at a time when he had a seat in this parliament, he answered very ingenuously: 'Oh, well, I had full confidence in the Minister of Justice at that time.' To-day, however, he is trying to stir up racial issues, along with my hon. friend from Jacques Cartier (Mr. Monk) in the province of Quebec, without having the slightest evidence of any treaty or covenant guaranteeing the use of the French language in that country, and when we recall to him the fact that he sat in this parliament in 1890 and then voted for a resolution which gave the legislative assembly of the Territories the right to regulate the manner of its proceedings and to decree what language shall be used in its proceedings, he asks: 'How would you have voted if you had been there?' That is not an answer to a straight question. Let me further call the attention of my hon. friend from Jacques Cartier (Mr. Monk) to this point: The French Canadians of the Territories knew themselves so well that there was no covenant and no treaty guaranteeing to them the right to use the French language in the legislative assembly, that when the question came up before the Council, Mr. Rouleau, who was a judge of the Supreme Court, and who sat ex-officio, I think, in the Northwest Council, expressed himself as follows:

> Judge Rouleau spoke at great length on the question. He claimed that no action could be taken until the people had a chance to express themselves on the matter. Let the members make it an issue at the next election, if they wished. He had spoken French before he had spoken English and this memorial proposed to deprive him and others of their mother tongue. He closed by again claiming that the question should be decided by the electors, and hinted that some of the members, who probably vote for this now, might suffer at the next election.

Thus we have Mr. Justice Rouleau—who was then, I think, the highest official amongst the French population of the Territories, who sat in the Northwest Council—expressing the opinion that the matter should be left in the hands of the electors, and that if the electors gave a mandate to their representatives to abolish the dual system, then the French Canadians would have to submit.

Mr. MONK. This had reference to the abolition of the use of the French language merely in the proceedings of the legislative assembly, and did not mean the abolition of the French language in toto. That language at present, and ever since the establishment of the Territories, has been the official language of the Northwest in the courts, and in the debates of the House, as I contend. The resolution to which my hon. friend the Solicitor General refers is merely confined to the proceedings of the House, and it was in that sense that Mr. Justice Rouleau spoke.

Mr. LEMIEUX. My hon. friend is perfectly right in saying that even to-day, although this resolution was passed by the legislative assembly of the Territories, the French Canadians there are at liberty to use their own language in the courts. This is the opinion expressed by Sir John Macdonald in the debate of 1890, and he based it on section 133 of the British North America Act:

> Either the English or the French language may be used by any person in the debates of the Houses of the parliament of Canada and of the Houses of the legislature of Quebec; and both those languages shall be used in the respective records and the journals of those Houses, and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under this Act, and in or from all or any of the courts of Quebec.

Some of the members at that time thought that by the expression 'Courts of Canada' was simply meant the Exchequer Court and the Supreme Court. But Sir John Macdonald held that the courts of the Northwest Territories, having been established and constituted by the federal government, this clause applied to them also as regards language. But I may say to my hon. friend at once, that although this privilege exists until the provinces consitute and establish courts themselves, the people throughout the Northwest Territories do not seem t have taken advantage of it. Not later than the day before yesterday I took the trouble to wire to a gentleman well known to my hon. friend from Jacques Cartier, Mr. Justice Prendergast of the Supreme Court of the Territories. This is the telegram I sent, dated June 27:

> Please inform me if the French language is used before the courts in pleadings or otherwise?
>
> (Signed)
> RODOLPHE LEMIEUX.

To that telegram I received yesterday the following reply:

> Not used to my knowledge either in pleadings or otherwise. I am writing.
>
> JAMES D. PRENDERGAST.

Mr. MONK. What difference does that make?

Mr. LEMIEUX. It does not make any difference as regards the abstract right to use the French language. But it shows that the motion of the hon. gentleman is not very practical, that he is fighting for phantoms and not for realities. For myself, I prefer to fight for the substance rather than the shadow, and to avoid creating the trouble which my hon. friend would like to stir up in this country. Now, he

has taunted the Prime Minister for some opinions expressed by him in 1890, when this question was before parliament. The Prime Minister can defend himself; but my hon. friend should have done him the justice to quote the exact language which he used on that occasion. When this question was debated in 1890 he said, page 1014 of the 'Hansard':

> Let us remember this: That if we are prepared to stand by the principle of local autonomy in the Northwest Territories, we will stand ten times, and a hundred times, stronger when we have to meet an attack in our own province. If we are now prepared to stand by the principle of local autonomy, I submit that when the time comes we will find a tower of strength in the position which we may take upon this question. This is one of the reasons which impel me to take the action I propose on this measure, that is, to support the measure of the hon. Minister of Justice. I quite realize that it must be painful for many hon. members from the province of Quebec to vote for a measure which may perhaps imply the possibility that the French language should cease to be the official language in the Northwest Territories. I have no reason to suppose, and I do not for one moment suppose, that the people of the Northwest Territories would act unjustly or unfairly towards the French minority. I know it has been said that if we vote this measure it is a foregone conclusion that the French language will not be an official language of the Northwest, because the legislature has already expressed its opinion in favour of removing it as an official language. Well, that it true; but we must remember that at present there is not one single member speaking French in the legislature, and if, after the next election, there should be no change in the representation, if there should be no French representative in the Northwest Territories assembly, surely no one will complain if, under such circumstances, after the attention of the people has been aroused to the question the local legislature were to adhere to its present intention.

So the Prime Minister, when leader of the opposition, said that as there was no French Canadian representative sitting in the Northwest assembly, and as it was a question of local autonomy, the legislature had full power to do what it has since done. That was also the opinion of the highest constitutional authorities which were in parliament at that time. Now, Sir, the leader of the opposition of that day stated that if this question would come up before parliament he would have to consider the number of French inhabitants in the Northwest Territories. As I said a moment ago, it is a good thing to fight for our undoubted rights, but it is another thing to fight uselessly for special privileges. I challenge my hon. friends from Jacques Cartier (Mr. Monk) and Beauharnois (Mr. Bergeron) to find, within the four corners of this constitution, anything guaranteeing the use of the French language in the Northwest Territories.

Mr. LEMIEUX.

Mr. BERGERON. We are not going to fight on words. Does not the hon. gentleman think that all that took place before Manitoba entered confederation, that all that was done at that time in favour of the French language and separate schools, in favour of the rights of the French Canadians and the half-breeds in that part of the country, was done on behalf of people who resided in that territory now comprised in the provinces of Alberta and Saskatchewan?

Mr. LEMIEUX. Again I will quote to my hon. friend the language of the contracting parties. Here is the declaration of the people of Rupert's Land as I find it in clause 10:

> That the English and French languages be common in the legislature and courts, and that all public documents and Acts of the legislature be published in both languages.
>
> All the above articles have been severally discussed and adopted by the French and English representatives without a dissenting voice, as the conditions upon which the people of Rupert's Land enter confederation.

The people of Rupert's Land, these are not the people of the Northwest Territories to-day. But I will go further. Immediately after this had been submitted to Sir John Macdonald and Sir George E. Cartier, and the other ministers of the Crown, an Act was passed to create the province of Manitoba, containing exactly the same provisions. Three years after, the Northwest Territories are constituted, but not a word is mentioned about the French language. Will my hon. friend explain that to me?

Mr. A. LAVERGNE. Will the hon. gentleman allow me to ask him a question? Would not the federal parliament to-day have the right to establish the French language in the Northwest if it saw fit to do so?

Mr. LEMIEUX. Undoubtedly, and so can my hon. friend agitate the country and ask that the 200,000 French Canadians in the province of Ontario shall have the right to the official use of the French language in the legislature. But as there is not one word in the British North America Act about the use of the French language in Ontario, as there is no covenant or guarantee to that effect in previous documents, nobody would dare agitate for such a thing. Would not my hon. friend from Montmagny (Mr. A. Lavergne) be more practical, would not my hon. friends from Jacques Cartier and Beauharnois be more justified, in agitating the country and asking our English fellow citizens to grant the use of the French language in the legislature of Ontario, rather than asking the use of the French language in the legisla-

ture of the Northwest Territories where it is not guaranteed by any article of treaty, or by any covenant.

Mr. A. LAVERGNE. Admitting that there is no treaty guaranteeing the use of the French language in the Northwest Territories—which I do not admit—would not the federal parliament have a right to establish the French language in the Northwest Territories?

Mr. LEMIEUX. Parliament is supreme. It has the right to do anything. My hon. friend has read the principles of the British constitution. But we must act as men of common sense, we must not act like children and ask for the moon. We must ask our rights and nothing but our rights and it ill becomes my hon. friend to clamour for special privileges when they are not guaranteed by the constitution.

Mr. BERGERON. If I understand well the difference which my hon. friend finds between the Manitoba side and the Northwest Territories side as far as that covenant is concerned, is this: Although the government of Canada agreed to the Bill of Rights which provided that the French language should be an official language in the province of Manitoba, and although they did not make provision for the continuance of that right in 1875 the right did not cease in the Northwest Territories, because it was re-enacted in 1877. Would not the argument of my hon. friend put the position of Manitoba and of the Territories on the same basis in regard to that question? Since the government of Canada in 1870, when they created the province of Manitoba, enacted a special clause providing that the French language should be an official language, would it not be our duty to-day, for the very same reason, since we are creating these two new provinces, to do the very same thing, as far as the language is concerned, as was done in regard to the province of Manitoba in 1870?

Mr. LEMIEUX. No, because in the case of Manitoba, there was a treaty or Bill of Rights. That Bill of Rights was adhered to by the high contracting parties, whereas, in the Northwest Territories, there was no such thing.

Mr. R. L. BORDEN. Does my hon. friend the Solicitor General remember that my hon. friend the Minister of Inland Revenue, in the speech which he delivered upon this Bill, put forward——

Mr. LEMIEUX. I do not remember that speech.

Mr. R. L. BORDEN. I will read it to my hon. friend.

Mr. LEMIEUX. Several speeches have been delivered.

Mr. R. L. BORDEN. My hon. friend would be attracted by the speech of his colleague as his colleague took the exact opposite of the position which he has taken to-day. I have under my hand the argument of the hon. Minister of Inland Revenue who bases the right of the minority in the Northwest Territories to separate schools upon the very Bill of Rights that the Solicitor General says does not extend to these Territories at all. Does my hon. friend want me to read it to him?

Mr. LEMIEUX. No, I remember it now.

Mr. R. L. BORDEN. This was the argument not only of the hon. Minister of Inland Revenue, but of at least half a dozen other hon. gentlemen on the other side of the House. It was that the Act of 1875 was a legislative compact based upon the so called treaty of 1870 and that that treaty extended not only to Manitoba, but to the Northwest Territories. Now, when it is convenient for the government to take the other position, my hon. friend the Solicitor General stands up while the hon. Minister of Inland Revenue prudently remains in his seat and takes exactly the opposite position to that which was put forward by the government only a few weeks ago.

Mr. BRODEUR. We might perhaps settle the question by finding out what the views of the hon. gentleman are upon this question.

Mr. R. L. BORDEN. I will tell the hon. minister what my views are. I have taken the position, but there is no legislative compact or compact of any kind and I have stood by that. I have never argued when convenient that there is a compact and where it is otherwise that there is no compact, and I do not propose to do that. I say that if the Bill of Rights constitutes a compact, then the Act of 1877 based upon it is as binding upon this parliament as the Act of 1875 is binding upon it. That is my position and I would like the hon. minister to define his position now. He does not seem to be very anxious to do so.

Mr. BRODEUR. Oh, yes, I will speak.

Mr. LEMIEUX. If my hon. friend the Minister of Inland Revenue and I do not agree on a question of history, I find myself in very good company, because the hon. leader of the opposition stands by me and says there was no compact prior to 1870. Therefore, that destroys the argument of my hon. friend from Jacques Cartier upon this question.

Mr. R. L. BORDEN. I must deny myself the compliment of saying that I stand with my hon. friend the Solicitor General. I stand in the same position in regard to both matters, whereas, my hon. friend the Solicitor General stands in one position in regard to one and in exactly the opposite position in regard to the other.

Mr. LEMIEUX. I would not like to stand very long with my hon. friend because if so we would have to fall together. But it would be more practical on the part of my hon. friend from Jacques Cartier, instead of agitating for rights that do not exist except in his own imagination, to agitate on behalf of 200,000 French Canadians who live in the province of Ontario. But, he will not do that because it would be an attack upon the constitution which this country gave itself in 1867. As my right hon. friend the Prime Minister said the other day in this House, the French Canadians of Quebec will not ask for more than they are entitled to, and under the present circumstances I say to my hon. friend from Jacques Cartier that he is rendering no service to his fellow citizens of the province of Quebec by trying to arouse the feelings of the people over this vexed question.

Mr. MONK. I would like my hon. friend to quote some words or speech or something which would show that I have any intention of agitating or that I ever have agitated.

Mr. LEMIEUX. The fact of bringing up this motion.

Mr. MONK. Is a man agitating the province because he brings up a legitimate subject of inquiry such as this ?

Mr. LEMIEUX. The very fact of bringing up this motion is the beginning of another agitation in the province of Quebec, because, in that province, we have two apostles, one, the apostle of denominational schools, my hon. friend from Beauharnois (Mr. Bergeron), and the other the apostle of the French language, my hon. friend from Jacques Cartier (Mr. Monk). It is a holy alliance and I hope it will be blessed, but I fear it will not be blessed by the electorate. Now, I shall read the figures which I have here in order that I may have the opportunity of quoting them when we shall meet these two hon. gentlemen before our own people. The figures which I hold in my hands show conclusively how few French Canadians there are in the west. What is the population of the French Canadians in the Northwest Territories ? I have here the official figures.

Mr. MONK. For what year ?

Mr. LEMIEUX. For the year 1891.

An hon. MEMBER. 1901.

Mr. LEMIEUX. I will begin with 1891, the year after the McCarthy Bill came up in the House. At that time the total population of the Northwest Territories was 66,799. The French Canadians only numbered 1,543, a little more than two per cent of the total population. In 1901 the total population, according to the census of that year, was 158,940. The French population numbered 7,040, a little more than four per cent ; the German population 19,572, more than twelve per cent ; the Scandinavian, 5,390 ; the Russians 17,050, more than ten per cent; the Austro-Hungarian 6,407, a little more than four per cent. Therefore, Mr. Chairman, we would be asking a special privilege for the French Canadian element in the Northwest Territories when at the present time, they are not even five per cent of the total population, when they have no guarantee, when there is no treaty, no covenant, no right whatsoever to that special privilege. Under these circumstances, I say it again the hon. gentleman (Mr. Monk) is not rendering a service to his fellow countrymen in the Northwest Territories ; he is simply trying to catch a few votes in the province of Quebec.

Mr. SPROULE. Where did the Solicitor General get his figures as to the French population. I have here the census of 1901, and the figures seem to differ from his.

Mr. LEMIEUX. I have the figures given me by Mr. Blue, census commissioner.

Mr. SPROULE. According to the census report there would appear to be only 246 French in the Northwest Territories.

Mr. LEMIEUX. I suppose that would mean the French people from France.

Mr. SPROULE. It is in the column under the heading 'French,' and I find no column giving the French Canadians.

Mr. LEMIEUX. I have here a statement showing the population of the Northwest Territories in 1901, in the electoral districts of Alberta and Saskatchewan classed as French and all other races, together with their percentages. I would ask the permission of the House to have it published in 'Hansard.'

Statement showing the population in 1891 and 1901 of that portion of the Northwest Territories comprising the proposed provinces of Alberta and Saskatchewan, together with the number and per cent of French and other races of the population.

Races.	Census of 1891.		Census of 1901.	
	Pop.	p. c.	Pop.	p. c.
Total	66,799	100	158,940	100
British			74,870	47·00
French	1,543	2·31	7,040	4·00
German			19,572	11·92
Scandinavian			5,392	3·28
Russian			17,051	10·38
Austro-Hungarian			6,407	3·90
All others	65,256	97·69	28,610	18·00

Note.—The census of 1891 made no record of the people by origin or race saving French Canadians.

POPULATION of Electoral Districts in the Provinces of Alberta and Saskatchewan, as shown by the Census of 1901, classed as French and all other races, together with their percentages.

Electoral Districts.	French Origin.	All other Origins.	Total Population.	PERCENTAGES OF	
				French.	All others.
Alberta—					
1 Medicine Hat	59	3,085	3,144	1·87	97·13
2 Cardston	25	3,178	3,203	0 78	99·22
3 Lethbridge	105	2,733	2,838	3·69	96·31
4 Macleod	61	3,342	3,403	1·79	98·21
5 Pincher	203	1,756	1,959	10·36	89·64
6 Gleichen	49	2,052	2,101	2·33	97·67
7 Calgary, city	125	4,740	4,865	2·57	97·43
8 Rosebud	13	1,023	1,036	1·25	98·75
9 High River	41	2,431	2,472	1·65	98·35
10 Banff	26	2,608	2,634	0·98	99·02
11 Innisfail	33	3,346	3,379	0·97	99·03
12 Red Deer	29	1,980	2,009	1·49	98·51
13 Vermilion	73	1,722	1,795	4·06	95·94
14 Lacombe	67	2,498	2,565	2·61	97·39
15 Ponoka	114	2,661	2,775	4·10	95·90
16 Wetaskiwin	253	3,467	3,720	6·80	93·20
17 Leduc	367	3,083	3,450	10·64	89·36
18 Strathcona	219	4,029	4,248	5·16	94·84
19 Stony Plain	124	2,274	2,398	5·17	94·83
20 Edmonton, City	321	2,305	2,626	12·23	87·77
21 Saskatchewan (Victoria)	283	6,261	6,544	4·37	95·63
22 Sturgeon	507	2,765	3,272	15·49	84·51
23 Saint Albert	1,325	1,680	3,005	44·09	55·91
24 Peace River	55	1,669	1,724	3·19	96·81
25 Athabaska	50	1,626	1,676	2·98	97·02
Totals	4,527	68,314	72,841	6·21	93·79
Saskatchewan—					
1 Souris	234	5,470	5,704	4·10	95·90
2 Cannington	281	3,204	3,485	8·06	91·94
3 Moosomin	59	5,104	5,163	1·14	98·86
4 Whitewood	136	3,637	3,773	3·60	96·40
5 Grenfell	25	3,931	3,956	0·63	99·37
6 Wolseley	262	3,797	4,059	6·45	93·55
7 Saltcoats	4	11,000	11,004	0·04	99·96
8 Yorkton	31	5,085	5,116	0·61	99·39
9 South Qu'Appelle	172	5,358	5,530	3 11	96·89
10 North Qu'Appelle	143	3,014	3,157	4·53	95·47
11 South Regina	11	1,713	1,724	0·64	99·36
12 Regina, city	31	2,411	2,442	1·27	98·73
13 Lumsden	13	3,083	3,096	0·42	99·58
14 Moosejaw	65	3,960	4,025	1·61	98·39
15 Maple Creek	51	1,790	1,841	2·77	97·73
16 Greenwood	7	1,621	1,628	0·43	95·57
17 Humboldt	2	580	582	0·35	99·65
18 Kinistino	105	2,555	2,660	4·00	96·00
19 Prince Albert	22	3,447	3,469	0·63	99·37
20 Prince Albert, city	128	2,147	2,275	5·63	94·37
21 Batoche	285	1,685	1,970	14·47	85·53
22 Saskatoon	22	2,986	3,008	0·73	99·27
23 Rosthern	257	4,642	4,899	5·25	94·75
24 Redberry	34	2,585	2,619	1·30	98·70
25 Battleford	238	4,937	4,275	5·56	94·44
Totals	2,618	88,842	91,460	2·86	97·14
Totals for the two provinces	7,145	157,156	164,301	4·35	95·65

I may summarize it by saying that the total population of the Northwest Territories according to the census of 1901, is 158,940. British, 74,870; French, 7,040. The British is 47 per cent of the whole. Then come the Germans with 19,572, the Russians, 17,051, and then all others, which I suppose include all Indians and half-breeds, 28,610, or 18 per cent of the total population.

Mr. BERGERON. I suppose the British population referred to there would mean all Canadians.

Mr. BRODEUR. No; only English, Scotch and Irish.

Mr. BERGERON. What about the French Canadians ?

Mr. SPROULE. There would seem to be only 7,040 French Canadians according to this book.

Mr. BERGERON. Does that mean French Canadians or French coming from France.

Mr. FISHER. Both together.

Mr. BERGERON. Then why do you class French Canadians with the French, instead of classing them as British ?

Mr. FISHER. Because that statement is given according to origin.

Mr. BERGERON. The proper classification should be 'British.' The French Canadians of this country are Britishers. The entry is in the census report but it is not proper. There are a good many old country French people in the Northwest Territories and there are some districts settled by them. These are French, but when you come to classify the French Canadians you should put them in with the Irish, Scotch and England, as British subjects.

Mr. R. L. BORDEN. Why should you class with people coming from foreign countries, the French Canadians whose ancestors have been living in this country for 250 years?

Mr. FISHER. Because the tables are divided according to the origin and not according to the place of birth.

Mr. BERGERON. I do not approve of that.

Mr. FISHER. That may be.

Mr. BERGERON. It is my opinion that that classification of the French Canadians is not a proper classification. I protest against it. The French Canadians in this country are Britishers in the complete sense of the word. The ancestors of most of the French Canadians in Quebec have been here for 250 years, and how can you call me a Frenchman. I am entirely a Canadian, and I wish to be classed as a Canadian. It is misleading to say that the French Canadians are French.

Sir WILFRID LAURIER. I will relieve the mind of my hon. friend at once. There are two tables in the census report, and in one table is given the nationality and that was read by my hon. friend from East Grey, and it led to his making the mistake he did. There are in the Northwest Territories only 246 of French nationality, but there is another column giving the origin of the people, and that gives different figures of course.

Mr. R. L. BORDEN. That is a different thing, but it is not the answer of the Minister of Agriculture.

Mr. FISHER. One table gives the race origin and the other table gives the place of birth.

Mr. BERGERON. A stranger looking at the statistics of this census report would immediately want to know where the French Canadians are.

Sir WILFRID LAURIER. Here they are.

Mr. BERGERON. Where ?

Sir WILFRID LAURIER. They are under the heading giving the nationality.

Mr. LEMIEUX. I am very pleased to hear my hon. friend from Beauharnois say that he is a Britisher to the core, because I remember that some years ago when the Prime Minister went to England and declared in a speech that he was a Britisher to the core, my hon. friend (Mr. Bergeron) and his political friends and the papers published by the Conservative party in the province of Quebec, tried to fasten a crime on the right hon. gentleman because he had used that expression. I have heard my hon. friend himself in his own county stating: Sir Wilfrid Laurier is not one of us, see what he said in England; British to the core; he has renounced the nationality of his ancestors. And that can be read every day in 'Le L'Evenment' of Quebec, a paper published by the Conservative party.

Mr. BERGERON. It is very easy for the Solicitor General to make a man of straw for the purpose of knocking him down. He has attributed words to me that I did not use. I did not say I was British to the core; I said I was a British subject. I live under the British flag and you cannot class me as anything else than British. If you call me a Canadian then it is all right. That is the title I am most proud of, but if in the columns of nationality you class me as French, then it must mean that I am old country French, and that is not a correct description.

Mr. S. J. JACKSON. How far does your British go in if it does not go to the core.

Mr. BERGERON. I am answering my hon. friend the Solicitor General now, and

I will answer you by-and-by. The Solicitor General says that I denounced the Prime Minister because he stated that he was British to the core. The Solicitor General never heard me make such an accusation in my life. When I go on the public platform I do not indulge in any such smallness as that. I have heard it said, and it has been published in the newspapers, but I have not said it. What do I care whether he is British to the core or not? My statement here is that I am a British subject and I do not want to be classified as if I were a Frenchman from old France. It is not that I do not respect the French, I am proud of my French origin, but I do say that if you describe the French Canadians as French in a census report, then you are not giving a correct description of men whose ancestors have been living in this country for 250 years. I am a British subject and a Canadian and should be classed as such. I am proud to be a descendant of the French race but I am Canadian first.

Mr. LAPOINTE. (Translation.) Is the hon. member for Beauharnois ashamed to claim his French ancestry?

Mr. BERGERON. (Translation.) If the hon. gentleman understands English—

Mr. LAPOINTE. (Translation.) Oh! I understand it thoroughly.

Mr. BERGERON. (Translation.) Then he must know that I am just after stating in English that I am not ashamed to own up to my French origin. But I don't see why I should be classed among the French in the census reports.

Mr. LAPOINTE. (Translation.) The Census gives the origin of every race of population.

Mr. BERGERON. (Translation.) I contend that the classification is misleading. When a stranger looks over our statistics and beholds a race of population under the heading of French, he is led to believe that they are French emigrants, while they are Canadians whose ancestors came to settle in this country over two centuries ago

Mr. BOURASSA. I rise to a point of order. This discussion is entirely outside of the clause before the committee.

Mr. LEMIEUX. In view of the fact that the constitution confers no rights in regard to the use of the French language and that a very small French population inhabits the Northwest Territories, I do not think the motion of my hon. friend should be accepted. Not that I am against the dual system; not that I am against the use of the French language; not that I would not be very happy to see the legislature of the Northwest Territories adopt the French language as one of the official languages; but because I know that it is perfectly useless to ask for more than is contained within the four corners of the constitution. Now, Sir, after the legislature of the Northwest Territories had abolished the French language in 1892, no further action was taken by the parliament of Canada. The parliament of Canada, by adopting the amendment of Sir John Thompson, had pledged itself to confer the principle of local autonomy in the Northwest Territories with regard to the dual system. In those days the leaders representing more especially the French Canadian population—the Hon. Sir Hector Langevin, the Hon. Sir Adolphe Chapleau and the Hon. Sir Adolphe Caron—who had seats in this House, never raised their voice to restore the use of the French language in the Northwest assembly, because at that time there was not one French Canadian member in that assembly, and to-day I believe there are only two, Mr. Prince and Mr. Lambert. I have the evidence of one of the most eminent judges of the Northwest Territories, who, though having an Irish name, is French Canadian at heart, Mr. Justice Prendergast, to the effect that the French language has never been used to his knowledge before the courts of the Territories. I said a moment ago that the Conservative party in 1892 had not moved in the matter at all, although letters and other documents had been sent to Ottawa on the subject. My hon. friend from Beauharnois (Mr. Bergeron) must remember a letter of Monseigneur Grandin to the other bishops of Canada, which was sent to the Ottawa government in 1889. In that letter Monseigneur Grandin declared that the federal government was responsible for the persecution arising from the suppression of the separate school system and of the French language in the schools. I also find in the votes and proceedings of 1890 that Mr. Amyot asked the government:

> Whether they are aware that the following letter has been addressed by His Grace Monseigneur Grandin to persons occupying a high position in the province of Quebec?

The letter he referred to was the letter of Monseigneur Grandin in which he accused the Conservative government of the day of having favoured the abolition of the French language and the abolition of the separate school system. And yet my hon. friend from Beauharnois did not say a word in protest.

Mr. BERGERON. What was the answer to that? There was an answer?

Mr. LEMIEUX. No.

Mr. BERGERON. What page is that?

Mr. LEMIEUX. Page 34 of the Votes and Proceedings of 1890. It is well known that no answer was made by the government.

Mr. BERGERON. That was only a notice of motion? If there was an answer it would be in 'Hansard'?

Mr. LEMIEUX. At all events, the hon. member for Jacques Cartier comes before

the House with the present motion in order to redress a grievance.

Mr. MONK. My hon. friend has said that several times. I am not asking to redress a grievance. I am asking for the maintenance of the law as it exists to-day in the Territories.

Mr. LEMIEUX. My hon. friend is not serious—the law of 1877 ?

Mr. MONK. The law as it exists to-day in the Territories.

Mr. BRODEUR. The French language was abolished in 1892.

Mr. MONK. How can my hon. friend say that when he knows this is not the case. The proceedings of the legislative assembly may be held in English but does my hon. friend mean to say that the use of the French language in the courts and elsewhere as provided by the statute is not in force?

Mr. LEMIEUX. I will answer my hon. friend. The British North America Act section 33, is as follows:

> Either English or the French language may be used by any person in the debates of the Houses of the parliament of Canada and of the Houses of the legislature of Quebec ; and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under this Act, and in or from all or any of the courts of Quebec. The Acts of the parliament of Canada and of the legislature of Quebec shall be printed and published in both those languages.

There is nothing else in the British North America Act concerning the language or concerning the records or proceedings in the courts of Canada.

Mr. MONK. My hon. friend who is an able lawyer knows perfectly well that that article is not the article we are discussing here. We are discussing a law at present in force in the Northwest Territories which is going to remain in force after the provinces are erected and in existence. We are discussing that law which is in force to-day. I am not asking the remedy of a grievance, I am asking for a constitutional provision in the new provincial charter for the maintenance of what exists.

Mr. LEMIEUX. Does my hon. friend refer to that law passed by this parliament in 1877?

Mr. MONK. Yes, section 110 of the revised statutes.

Mr. LEMIEUX. My hon. friend is not serious, he cannot be serious. He knows perfectly well that this parliament in 1890 at the suggestion of Sir John Thompson gave to the legislature of the Northwest Territories the right to abolish the dual system and it was so abolished in the session of 1892. Therefore it does not exist to-day.

Mr. MONK. My hon. friend must really pardon me, we must make this clear. This is the law to-day, section 110 revised statutes:

> Either the English or the French language may be used by any person in the debates of the council of legislative assembly of the Territories and in the proceedings before the courts; and both those languages shall be used in the records and journals of the said council or assembly; and all ordinances made under this Act shall be printed in both those languages.

The assembly has acted under that law but does my hon. friend say that the legislative assembly having decided that its proceedings should be in English, the use of the French language is totally abolished in the Northwest Territories? Is that what my hon. friend contends?

Mr. LEMIEUX. No, I told my hon. friend a few moments ago that the opinion given by Sir John Macdonald, was that even if the legislature of the Northwest Territories would abolish the dual system as regards the proceedings of the courts such ordinance of the legislative assembly would be illegal and could be disallowed. Sir John Macdonald relied on section 133 of the British North America Act in saying that.

Mr. R. L. BORDEN. The reasons may be as the hon. gentleman stated, but I have looked into this somewhat carefully and I arrived at the conclusion that the Act of 1877 was modified only in one respect by what took place in 1890-92, namely, that the legislature of the Northwest Territories was given authority, by resolution or otherwise, to regulate its proceedings and pursuant to that the legislature of the Northwest Territories abolished the use of the French language in its proceedings and in the recording of its resolutions. Apart from that the Act of 1877 is as much in force in the Northwest Territories to-day as it ever has been.

Mr. FITZPATRICK. The effect of the ordinance applies to the use of the language in the legislative assembly, but not in the courts.

Mr. R. L. BORDEN. Quite so.

Mr. LEMIEUX. I shall conclude by saying that the motion of the hon. gentleman was presented by him not with the hope that it would be adopted but with the expectation that it would create some agitation in our province.

Mr. BERGERON. I do not think that my hon. friend has said anything which will necessitate my taking up much of the time

of the House in reply. He was simply trying to make political capital out of this question by saying that we on this side, in introducing the amendments which we believe are proper, are trying to create an agitation in Quebec. My hon. friends are afraid of that agitation in Quebec. They remember what they did in 1896 and think that we are going to do the same thing. My hon. friend spoke about the caucus. To show him that he was wrong there I may state that we had no understanding with the member for Labelle (Mr. Bourassa) and the member for Montmagny (Mr. A. Lavergne) and yet we happen to be side by side on this question. That shows that we may be on the same platform without caucus or understanding. My hon. friend at the conclusion of his speech showed that he wanted to make political capital out of this when he spoke about the petition brought into this House by Mr. Amyot in 1890. Mr. Amyot at that time was opposed to the government, he was a Liberal and was trying to embarrass the government and brought in the petition referred to. I asked if there was an answer. My hon. friend said: No, I do not see any. This is a long petition covering about two columns and a half which Mr. Amyot read in the House in the effort to show that the Roman Catholics in the Northwest Territories were illtreated and that petition was signed by Bishop Grandin. That the petition was brought into the House on June 29, 1890. I shall read the answer of Sir John Macdonald:

Sir JOHN MACDONALD. The government have not received the letter set out in the question or any copy of it. I have been informed that it appeared without signature in the Montreal 'Witness.'

Another agitator, I suppose, according to my hon. friend:

I would simply say that the letter has never come before the government except in the manner I have mentioned. The government will attend to the complaints of Monseigneur Grandin and those of any other person, clergyman or person in Canada who has any complaint to make.

My hon. friend says to me: Did my hon. friend get up in his place to answer the letter? Could I give a better answer than the one given by the Prime Minister of Canada at that time? The whole speech of my hon. friend has about the same value as that. What a difference it makes to be on this side of the House! What a powerful address my hon. friend would have made if he had been on this side of the House, knowing him as I do and knowing his propensities in that line. He is bound to defend something in which he has no confidence, to work against his own heart and that explains probably why his defence is so weak. If he had listened to the Minister of Inland Revenue he would have known that the position taken by my hon. friend from Jacques Cartier (Mr. Monk) is equally logical according to the opinion of a member of the government. I shall not read that opinion, it will be found at pages 5408 to 5410 of 'Hansard.' He will find there all the reasons which can be adduced to show that the French Canadians of the Northwest Territories according to the covenants or to the promises made to the people of Rupert's Land, that is the land where we are to-day trying to found two provinces.

You may play on the words as much as you like, but you cannot come to any other conclusion than that the French Canadians who are to-day in the provinces of Alberta and Saskatchewan are the men, or the descendants of the men, to whom were made these promises of the free use of their language and separate schools. Now, my hon. friend thought that he was making a great point when he spoke about my vote on the motion of Sir John Thompson. He was trying to make a hustings speech, otherwise he would have gone on to say that a few days before I had voted for the motion of Mr. Beausoleil. Since he wanted to criticise me for one vote, he should have complimented me for another vote that I gave on that occasion. But he only drew attention to the vote taken on the 21st of February, 1890, and he said that the member for Beauharnois had voted for the motion of Sir John Thompson. Certainly I did, and I am proud of it; I voted in good company, I voted with 37 other French Canadians from the province of Quebec; I voted with Liberals as well as Conservatives; I even voted with my right hon. friend; I voted with nearly all those who are to-day in the cabinet. Who voted against me? Some of the noble thirteen who had voted against the Jesuits' Estates Act, Mr. Charlton, Mr. McCarthy, Mr. McNeill, Mr. Tyrwhitt, Mr. Scriver, Mr. Weldon, of Albert. Those were great apostles in favour of the French Canadians. I voted against those men. I only mention this in answer to my hon. friend who, instead of replying to the logical argument I made, is trying to make political capital. When this session is over these hon. gentlemen will go around the country and say what they please. I am glad to be able to discuss that subject in parliament rather than on the hustings, because here they are obliged to keep within bounds; they cannot say anything they like, but on the stump they can say anything they like, and we are obliged to submit to it.

Mr. BELCOURT. A great compliment to the electors of the hon. gentleman's province.

Mr. BERGERON. It is a very unfortunate state of things. But we may have some

more discussion on this question before the end of the session.

Mr. BELCOURT. As a French Canadian I object to such a slur being cast upon the people of the province of Quebec, as that anybody can go among them and say anything he likes, to pass beyond bounds, and that one can do that from one end of the province to the other. I am very much surprised to hear my hon. friend cast such a slur upon his own countrymen.

Mr. BERGERON. My hon. friend is trying to play the same game. The committee understands what I mean. But on the whole it is true, that in the province of Quebec these gentlemen can go on the stump anywhere and say what they please, and we have to listen to it and to submit to it. But when they find themselves brought up sharp then as a last resort, they bring in the name of the right hon. premier, and then it is all up with us, and we have to sit down.

At six o'clock, Committee took recess.

After Recess.

Committee resumed at eight o'clock.

Sir WILFRID LAURIER. Before this motion is disposed of, I think it is due to the House that I should give reasons why it cannot be accepted by the government. I venture to express the opinion that when, in a few years from this, my hon. friend from Jacques Cartier (Mr. Monk) reviews the events of this day, he will have no cause to rejoice or feel proud of the position he has assumed. The motion he has made, in my estimation, cannot be defended in any way, either on the ground of constitutional rights or usefulness to the race to which he and I belong? The object of this motion is to limit the right of the new provinces in the matter of language and to do for the French language what we have done for the schools. This proposed legislation would crystallize the use of the French language in the provinces, to a large extent at all events, if not absolutely. There is great difference, my hon. friend will admit, between the position given to the French language under the constitution and that given to the schools. My hon. friend has not attempted this afternoon to base his motion upon anything that can be found in the British North America Act. That Act expressly leaves the subject of language to the legislatures, with two exceptions only, namely, the Quebec legislature and this parliament. Section 133 is in these words:

> Either the English or the French language may be used by any person in the debates of the Houses of parliament of Canada and of the Houses of the legislature of Quebec; and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under this Act, and in or from all or any of the courts of Quebec. The Acts of the parliament of Canada and of the legislature of Quebec shall be printed and published in both those languages.

The very fact that here the French and English languages are made the official languages in the Dominion parliament and the Quebec legislature, necessarily excludes the other provinces from that provision, and leaves that subject to be dealt with by them as they may see fit in the best interests of the public. With regard to the schools, the matter is very different. There is no use discussing again the provision of the law in that respect, because we have been discussing it for months. But let me repeat, for the purpose of this debate, that the law says in, so many words, that where a separate school system is found to exist in any of the provinces admitted into the union, that system must be perpetuated and be given the privileges provided in section 93. No such privilege, however, exists for the use either of the English or French or any language, in any section of the British North America Act, and I did not understand my hon. friend even to attempt to pretend that the constitutional right which he claims for the French language in the Territories is to be found in the four corners of the British North America Act. Therefore let any such contention as this be discarded. There is nothing in the British North America Act to support the motion made by my hon. friend. Where then is the constitutional right invoked by my hon. friend? He finds it in the Bill of Rights which was presented by the delegates of the Red River colony, when they came to Ottawa in 1870, after the important events of the year before in that distant part of the country. The delegates who came to Ottawa, in my judgment—and I submit it as a fact which belongs to history—did not represent the whole people of Rupert's Land. They represented simply a portion of the people of Rupert's Land. No doubt they claimed to represent the whole people—the people not only of Red River colony, but also of Rupert's Land. It is easy to show in any public document that the people of such and such a place profess to represent the whole country just as the three tailors of Tooley Street said: 'We the people of England.' It was easy for the delegates to say: 'We represent the people of Rupert's Land'; but there was superabundant reason why they could not represent the whole people of that section of country. They represented only the people of the Red River valley, because—and I submit this also as a matter of history—there were no white people then except in the valley of the Red River. There were no white people in the valley of the Saskatchewan. I doubt even if there were any, except a few isolated individuals, anywhere

else outside of the valley of the Red River. Outside of that valley, I submit with all deference—and I do not think my statement in that respect will be contradicted—there were no actual settlers. But it matters not who are the people who were represented at that time; it matters not whether they were the whole people of Rupert's Land or only the people of Red River colony. In the view of subsequent events, that matter was of little importance. I admit however that when they came here, they came as delegates professing to be the delegates from Rupert's Land; and they claimed for themselves at that time their right to separate schools and the use of the French language as an official language.

They claimed to be delegates for the whole territory of Rupert's Land. Whether they were the delegates of one portion of Rupert's Land only, or whether they were the delegates of the whole of Rupert's Land I am not prepared to say, but I am prepared to admit for the purposes of argument that they represented the whole of the people of Rupert's Land, and they claimed for the whole people of Rupert's Land, as they stated at all events, in the petitions which have been presented to this parliament, the French language and separate schools. Let there be no ambiguity. Let us state the facts exactly because if we do we always, under any circumstances, come to a better understanding. If their petition as presented had been adopted, the argument made to-day by my hon. friend would have been conclusive. It would have been paramount, but I may say to my hon. friend that the petition which was presented on that occasion for the whole people of Rupert's Land was not accepted by this parliament. That is a point which has been forgotten by my hon. friend and we have only to refer to the case to make it very plain. Here is the Bill of Rights. There have been several Bills of Rights, but it is not at all a point of any importance in this debate to ascertain which was the true Bill of Rights, whether it was the first, or the second, or the third or the fourth. I think there is very little use of going into this debate because all the Bills of Rights were practically the same and differed only in a very few and minor details. This is the Bill of Rights that was quoted here this afternoon by my hon. friend.

Mr. BERGERON. What is my hon. friend reading from ?

Sir WILFRID LAURIER. I am reading from Mr. Ewart's book, page 365. I am reading from Bills of Rights Numbers 3 and 4. Number 4 :

That the Territory of the Northwest enter into the confederation of the Dominion of Canada as a province, with all the privileges common with all the different provinces in the Dominion.

Number 3 :

That the Territories heretofore known as Rupert's Land and the Northwest shall not enter into the confederation, except as a province, to be styled and known as the province of Assiniboia, with all the rights and privileges common to the different provinces of the Dominion.

Between these two Bills of Rights there is very little difference. One asks that the whole of the Territories known as Rupert's Land and the Northwest shall enter into the confederation as a province to be styled the province of Assiniboia. The other does not say the territory known as Rupert's Land and the Northwest, but it says :

That the Territory of the Northwest enter into the confederation of the Dominion of Canada as a province, with all the privileges common with the different provinces in the Dominion.

It is a matter of history so well known that it is useless and vain for me to refer to it that the prayer of this petition was not granted. It was not the whole of the Northwest Territories or Rupert's Land which was admitted into the Dominion, but it was only a small portion of the territory and of Rupert's Land which was admitted into the Dominion and which became the province of Manitoba. When a petition of that kind is presented and is accepted in part it follows as a consequence, that what is not granted is rejected and therefore if the petition which was presented by the representatives of the whole of the people of the Northwest and Rupert's Land, if they can be said to have had representatives, had been accepted not for a portion of the Northwest, not for a portion of Rupert's Land, but for the whole of the Northwest and for the whole of Rupert's Land, it having been presented to cover the whole extent of what is to-day Manitoba, of what will be to-morrow Saskatchewan, of what will be to-morrow Alberta, what is still Mackenzie and a part of Keewatin, if not all, there would have been something in the argument of my hon. friend, but if under such circumstances, when a broad petition of that kind was presented, it was not accepted, but accepted only in part it follows that the concession made as to the schools and as to the French language was restricted simply to the province of Manitoba where it was granted. This seems to be so clear as not to be susceptible of any controversy. My hon. friend from Jacques Cartier, and my hon. friend from Beauharnois have agreed that the petition was granted for the whole of the Territories.

Mr. BERGERON. Upon what does my right hon. friend rely when he says that it was not granted. I do not see it here.

Sir WILFRID LAURIER. My hon. friend will not see it there, but I say this

to my hon. friend : The delegates from Rupert's Land and the Northwest ask that the French language and the separate schools shall be granted in the province which was to cover the whole of Rupert's Land and the Northwest Territories. What is Rupert's Land ? Rupert's Land is all the territory which is washed by the waters which flow into Hudson Bay and Hudson straits. It is a very large territory. What is the Northwest ? It is all the territory which was not included in Rupert's Land and therefore the whole of the territory which the delegates asked to be included in one province was Rupert's Land, which comprised part of Keewatin, part of Manitoba, the whole of Saskatchewan, the whole of Alberta and part of Mackenzie. Mackenzie which was washed by the waters of Mackenzie river was the Northwest Territories. It was asked that the whole of this territory should be organized into one province. The prayer of the petition was not granted. It was restricted to the province of Manitoba and therefore my hon. friend will not find it here, but if he refers to the Manitoba Act he will find that the province of Manitoba was organized on the petition of these delegates but not organized as they had asked it. The new province was confined to a very small portion of that which they had asked to be organized into a province and in which they had asked for the right to use the French language and to establish separate schools. Therefore, it is useless to say that the French language has been introduced into the Northwest, Rupert's Land, Mackenzie and Saskatchewan.

Mr. MONK. My right hon. friend will allow me to observe that the petition was granted as far as the Northwest Territories was concerned by the legislation which subsequently followed.

Mr. BERGERON. In 1877.

Sir WILFRID LAURIER. Nothing of the kind. I have only to refer to the petition. What is the petition ?

> That the Territories heretofore known as Rupert's Land and the Northwest shall not enter into the confederation, except as a province, to be styled and known as the province of Assiniboia, and with all the rights and privileges common to the different provinces of the Dominion.

All these Territories were not introduced as a province. Only the province of Manitoba was introduced as a province and therefore the petition of the delegates was not taken into consideration. I can imagine what was the answer made by Sir George Cartier and Sir John Macdonald to the delegates : You are asking too much altogether. Here, you have just a handful of people in the Northwest Territories, you have a mere fraction of population upon the banks of the Red river near Fort Garry, and you are asking to have a whole province established at once which would cover millions of acres of land. The petition has no sense; it cannot be granted. We will give you the province of Manitoba which will cover the Red River colony and as to the future we will keep that in reservation to deal with later on.

Mr. BERGERON. Were they deprived of their rights and privileges ?

Sir WILFRID LAURIER. My hon. friend has argued that there is a constitutional compact. I admit there was a compact so far as Manitoba is concerned, but there was no compact with regard to Rupert's Land except Manitoba. Therefore the whole argument of my hon. friend is absolutely without foundation. It is true, that the parliament of Canada at that time would not accede to the petition on behalf of the people of the Northwest Territories, and eight years later, in 1875, when Mr. Mackenzie introduced the Act for the government of the Northwest Territories, a clause was introduced with regard to the schools, but that clause was introduced not as a result of this compact or of the petition of the delegates, but on the ground that it might avoid the difficulties which had taken place in other provinces, in regard to the education question. There was not a word as to the petition which had been presented in 1870 ; there was not a word said about the Bill of Rights; all that was said was: let us introduce a school clause as a matter of policy and to avoid the heart burnings and the friction and the bad blood which resulted elsewhere because separate schools were not granted. In the original law introduced by Mr. Mackenzie in 1875, there was not a single word about the language ; it referred only to the schools. Two years afterwards an amendment to that law was brought from this House to the Senate by Mr. Girard, then a member of the Senate, asking for the introduction of the French language into the Territories. Did Mr Girard base his case upon the ground laid down by the hon. member for Jacques Cartier and the hon. member for Beauharnois ; did he base his case upon the ground of an agreement or a compact or a Bill of Rights ? No. Mr. Girard supported his case upon the ground of expediency, necessity and justice. Mr. Girard based his case on the fact that at that time there were as many French speaking people in the Territories as there were English speaking people. He said : I believe the French Canadians are just as numerous and more numerous than the English speaking people in the Northwest Territories and you cannot refuse us the use of our language. It was on that ground that the use of the French language was granted in 1877. It was not granted as the result of a compact or as a constitutional right, but simply as a concession to the inherent sentiments of justice.

Let me ask another question of my hon. friend. If there is one thing which ought to be held to be a right of the people of the province, it is that the French language should be used in the debates of the legislature and in the courts of justice. This proposition will not be denied, and in that respect the contention of my hon. friend (Mr. Monk) cannot be maintained unless he can base his claim upon the ground of constitutional right. True, he has attempted to do so, but he has failed in his attempt to show that the French people in the Northwest Territories can claim the right of the use of their language upon any authority in the British North America Act or upon any reasons which are to be found in the history to which allusion has been made. If the French people of the Territories cannot claim this right upon any constitutional ground, upon what ground can they claim it? It is perhaps worthy of remark that although the French language exists to-day as an official language in the Northwest Territories in the courts of law, if I am correctly informed there has not been a single document in the French language entered in a court of justice there for the last fifteen years, nor a single word of French spoken in the courts. That is not to be wondered at when we remember that to-day the population of French origin in the Northwest Territories is almost infinitely small, not more than 4 per cent. If the French people in the Territories were in the same position to-day as they were in 1877; if there were as many who speak the French language as there are who speak the English language, then I could understand my hon. friend arguing from the point of view of utility and sentiment. But, if it be true that according to the last census there were altogether 200,000 people in the Northwest Territories, and only 8,000 of them who spoke the French language, then I say it cannot be argued in the name of justice that they have the right to the official use of that language. For my part, proud as I am of my French origin, I could not claim in the name of justice and fair-play that right, in view of the fact that there is such a small proportion of French-speaking people in those Territories. Indeed, if we look at the statistics, there would be more justice for the French Canadians in the state of Massachusetts to claim the right to use their language in the legislature at Boston, because the number of French Canadians in Massachusetts is greater in proportion to the total population, than is the number of French-speaking people in the Northwest Territories to the total population there. In 1877 it was said that there were as many who spoke the French language as there were who spoke the English language in the Northwest Territories. Thirty years after, in 1890, Mr. Dalton McCarthy proposed to abolish the French language in these Territories. It was felt at that time that it was not fair to ask for the passage of such a law. Members on both sides of the House agreed—I was one of them, my hon. friend (Mr. Bergeron) was one of them, Sir John Macdonald was one of them, Sir John Thompson was one of them, Mr. Blake was one of them; the entire House of Commons with the exception of a small minority agreed to the proposition that the legislature of the Northwest Territories, which under the law of 1877 had not the power to deal with the French language, should have that power. Now, this is the resolution of my hon. friend from Jacques Cartier:

> Either the English or the French language may be used by any person in the debates of the legislative assembly of the province and in the proceedings of the courts, and both these languages shall be used in the records and journals of such assembly, and all laws made by the legislature shall be printed in both languages; provided, however, that the said legislative assembly may by law or otherwise regulate its proceedings and the manner of recording and publishing the same, and the regulations so made shall be embodied in a proclamation which shall be forthwith made and published by the Lieutenant Governor, in conformity of the law, and thereafter shall have full force and effect.

That is the motion of my hon. friend (Mr. Monk) and it is word for word the resolution passed by this parliament in 1890 for which I voted in common with my hon. friend from Beauharnois. It did not happen very often in those days; it does not happen very often now, that my hon. friend from Beauharnois and I vote together, so that it must have been a good cause which united us on that occasion.

Mr. BERGERON. I hope it will be the same thing to-night.

Sir WILFRID LAURIER. I hope also it will be the same thing.

Mr. BERGERON. I will vote for the amendment of my hon. friend (Mr. Monk).

Sir WILFRID LAURIER. And if my hon. friend is fair as he was in 1890 he will vote with me on this occasion as he voted with me then.

Mr. BERGERON. It is the same motion.

Sir WILFRID LAURIER. It is the same motion and the circumstances are similar, and when I explain the matter my hon. friend will be welcome afterwards to say how he will vote. What did I vote for on that occasion, and what did my hon. friend vote for? He voted that the legislature should have the power to deal with the French language in the debates of the legislature, either to adopt or to abolish it. Is my hon. friend to-day less disposed to give that power to the new provinces than he was to give it to the legislature of the Territories in 1890? In 1890 my hon. friend and I agreed to give to the Territories the

privilege of dealing with the language in everything except in the courts.

Mr. R. L. BORDEN. And the printing of the ordinances.

Sir WILFRID LAURIER. The printing of the ordinances was treated differently, more as a matter of convenience than anything else. But these things are in the past. Thirteen years have elapsed since then; and when a few days ago I saw the motion of my hon. friend from Jacques Cartier, and I remembered that in 1890 we had given to the legislature of the Northwest Territories the privilege of dealing with the French language in the debates of the legislature and had not given that same privilege in the courts, I asked myself what was the reason for that.

Mr. MONK. There is a reason given in the debates.

Sir WILFRID LAURIER. What is the reason given?

Mr. MONK. It is proper that the legislative assembly of the Northwest Territories should have the right to regulate its proceedings for its own convenience.

Sir WILFRID LAURIER. What is the reason parliament did not give the legislature the power to deal with the language in the courts?

Mr. MONK. There may be some new reason.

Sir WILFRID LAURIER. No, there is a very old and simple one. I have not had time to look at the debates, but I think my memory serves me. It was because the courts of law were then, as they are to-day, under the jurisdiction of this parliament, and not under the jurisdiction of the territorial legislature; and therefore, according to the terms of section 133 of the British North America Act, in all courts organized by the parliament of Canada the two languages are official. That was the reason we could not leave to the legislature the power to deal with the language in the courts. Let me quote the section again:

> Either the English or the French language may be used by any person in the debates of the Houses of the parliament of Canada and of the Houses of the legislature of Quebec; and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under this Act.

The courts of the Northwest Territories were established under this Act, and therefore the parliament of Canada had not the power to abolish the use of the French language in those courts. When those courts shall have become provincial, we shall no longer have jurisdiction over them, and therefore the legislature will have the right to deal with the language in the courts as well as in the legislature. That is the way I understand the question. The hon. member for Jacques Cartier quoted from the remarks I made on that occasion; and, if I understand his motive in doing so, I do not think it was served by that quotation. If he reads that speech again he will not find in it an argument in favour of his motion. My hon. friend thought he would find me at fault, but I do not think he has done so. I beg pardon of the House if I take the liberty of quoting once more my own language on that occasion:

> It is impossible to admit, for instance, that the institutions of the Northwest are permanent. On the contrary, they are exceptionally temporary; they deal with a state of things which is exceptional in itself; they were devised at a time when there was no population, and they must be modified from time to time as the necessities of the case require. But at this moment to say they are permanent, is a thing in which I cannot agree, except so far as they must be permanent in every particular, so long as we are not ready to give these people a more extended form of local authority. My hon. friend also says in this amendment, that since we passed this law and gave this incipient constitution to the Northwest Territories, nothing has occurred to change our views. I cannot agree with that. Everything has occurred since that time, not to change our views, but to set us thinking about what we should do at a future time, not very far off, in regard to these Territories. What has occurred is this: a population has gone into these Territories; they have been given a legislature; and that legislature has demanded certain measures—not only on the question of language, but on that of the schools, and on the system of government. Bearing these facts in mind, it seems to me that the proper time to deal with this question will be when we are prepared to give the Territories, perhaps not absolute, but a more extended form of local self-government; and when that time comes, we must be prepared to deal with this question upon the broad principle of this constitution, which has been devised for the safety of the majority and the protection of the minority, and in the light of the condition of things which may exist at that time in the Territories.

I suppose my hon. friend, when he read these words of mine, laid particular emphasis on the last sentence. Well, Sir, I take the same ground to-day. I am prepared to deal with this question on the broad principle of the constitution, which has devised rules and regulations for the protection of minorities. Has anything been done in this constitution for the language of any minority in any province? Nothing at all. The fathers of confederation did not pretend to authorize the French language in any part of the Dominion except in this parliament and in the province of Quebec. Everywhere else the people were left free to deal with the matter as they thought fit. Not so with regard to the schools. As to them the minority were given special protection by the Acts I have quoted. The legislature of

that day, composed of men whom we still delight to call the fathers of confederation, put into the constitution principles and regulations for the protection of the minority in its religion, but not in its language. Sir, I have to say this only to my fellow-countrymen. I know very well what will be said to-morrow in the province of Quebec. I anticipate the language which I shall hear in a few days—that I have gone back upon my race. I have heard that before, and I am prepared to hear it again.

I have done the best I could in order to give to the minority in those Territories the rights to which they are entitled under the constitution and my first words to my fellow countrymen in Quebec will be, if they continue in me that confidence which my hon. friend said to-day they had in me, I will tell them that upon this occasion as on all occasions I have stood for their protection in the rights given to them by the constitution. But, Sir, I find nothing in the constitution for the protection of the rights of the French language. It is a right which they must exercise like everybody else and if they become strong they shall be respected and they shall have their language respected but not if they are a minority, as they are to-day, for I understand there are only two members of the French race in the legislature of the Territories out of twenty-five, not a word of French is ever heard in the courts of law because I am happy to say the French do not go to the courts of law and do not require to use their language there. On what principle or what language can it be said that the French people in the Northwest Territories have a right to the privilege of having that language implanted in the constitution, that their language shall be there for ever. My hon. friend from Montmagny (Mr. Armand Lavergne) this afternoon asked a question as to whether parliament had not the right to implant the French language in the new province. Sir, I answer to my hon. friend that I do not recognize that parliament has that right to implant the French language in those new Territories. Parliament may have the power to do so, but I deny that it has the right. Parliament has the power to do everything, but I deprecate the day when the French people of this country shall ask parliament to anything that they have the power to do if they have not at the same time the right to do it. These are the reasons for which I ask that this motion shall not be granted. These are the reasons why I say in the presence of friends and foes, in the hearing of the people in all parts of Canada and especially in the province of Quebec, that if we should grant this motion we would be granting the worst measure that could be granted for the protection even of the very people whom it intends to serve.

Mr. BOURASSA. I need not say that the Prime Minister has made a case upon this question which goes far beyond in convincing power the one made this afternoon by the Sollicitor general. However, one who is anxious of giving on this question a conscientious vote may feel very much embarrassed, when coming to consider the basis of right upon which this legislation is based, to find out that out of our four members of the government, three members of the cabinet and the Solicitor General, there has been complete disagreement between them all as to the basis of right of this legislation. On the 2nd of May the Minister of Inland Revenue made a full and to my mind a convincing argument that one of the strongest reasons why this parliament should secure separate schools to the minority in the Northwest was that those separate schools had been promised to the delegates of Rupert's Land in 1870 by the federal government. He quoted the documents, he gave the evidence and he added these words :

> So, Mr. Speaker, there was a formal agreement, a formal compact by which these rights and privileges should continue to be exercised by the Protestants and Catholics of the Northwest. There is no doubt about that. And now that we are called upon to give autonomy to the Northwest Territories, some elements in this country would have the government and parliament not carry out the promise which was made to the minority by the imperial government, by the Canadian government and by Lord Strathcona. Sir, the government of this country will not commit such an injustice ; they will not go back on the promise which was made in 1869-70. The government of this country will give the minority their rights which were guaranteed to them by the promise then made, the rights which they enjoy under the constitution.

And those words were applied by the Minister of Inland Revenue to prove that article 7 of the Bill of Rights constituted a solemn pledge upon the conscience of this parliament. If article 7 is covered in that agreement how is it now that we are told there is no such pledge, that there is no such agreement, that that Bill of Rights meant nothing as far as the preservation of the language of the minority is concerned. It is either one or the other, either the Bill of Rights meant something and then the whole Bill of Rights meant something, either clause 7 covering separate schools was guaranteed by this parliament or not. We have been told by the Minister of Inland Revenue, and it has been intimated by the Minister of Justice on the 2nd of May when he quoted one of the despatches of Lord Granville with reference to the same agitation, with reference to the same stipulation and agreement, that the beginning of the engagement taken by this parliament was the pledge given by the government of Canada ratified by the parliament of Canada to those very delegates of Rupert's Land who the right hon. gentleman says now had no right to stipulate with these persons.

Mr. FITZPATRICK. Simply for the accuracy of debate would the hon. gentleman be good enough to point out those words in anything I said.

Mr. BOURASSA. I simply said that the hon. gentleman quoted that as one of the proofs, I did not say that he had stated that; I said he intimated it because he quoted it as one source of engagement on the school question. His words were:

> The imperial authorities of that day, to their credit be it said, faithful to the traditions of the imperial parliament, the mother of parliaments, the parliament of that people who have always held sacred their covenants, acting through their representative, Lord Granville, sent to the Governor General of Canada a cablegram on the 5th of March, 1870, which reads as follows:
>
> The proposed military assistance will be given if reasonable terms are given to the Roman Catholic settlers, and if Canadian government enable Her Majesty's government to proclaim transfer simultaneous with movement of troops.

I have quoted the words of the Minister of Justice to prove that the whole of these negotiations which had in view the same insurrection, which covered the same lands, were concluded by the same pledge, the only one pledge based on the only one Bill of Rights, which pledge was invoked by the Minister of Justice as one of the reasons why there had been a compact made by this government and the former settlers of the Territories.

Mr. FITZPATRICK. It was never referred to once in the course of the debate on the Bill of Rights.

Mr. BOURASSA. The hon. gentleman need not protest. I have not said that he made these statements. I said he quoted Earl Granville's despatch with reference to the pledges taken between this parliament and the settlers of the Northwest to prove that engagements had been made with those people. We were discussing the rights of those people with respect to separate schools and it was stated that we had to consider the despatches of the imperial government with respect to separate schools and to consider the moral obligations of the imperial government and the Canadian parliament. How is it now that such pledge should be left aside as it does not apply when it comes to another subject contained in the same petition, one of those subjects for which the same people came here and wanted the Dominion parliament to grant justice and to take a pledge in their favour? As far as the Minister of Inland Revenue is concerned there is no doubt whatever as to the construction he put upon the agreement which was made. This afternoon the Solicitor General made an address in which he said there was no compact whatever because Rupert's Land or the delegates from Rupert's Land spoke only for what now is termed Manitoba, which did not cover the rest of the Northwest Territories. I have brought the parliamentary documents here, the titles of the Hudson Bay Company, the imperial statute of 1867 and the Canadian statute of 1869, to prove to the hon. gentleman that he had forgotten to learn the first elements of the geographical condition of that country. The argument by the First Minister this evening spares me that trouble and completely destroys the argument of my hon. friend, the Solicitor General. The right hon. gentleman proves what should be known by everybody who has the most elementary notions of that country, that Rupert's Land included not only part of what is Manitoba, to-day, but a large section of the Territories. Further, in the statute of 1868, adopted previous to the Bill of Rights presented by the Northwest delegates, it is most clearly stated in the second clause:

> For the purpose of this Act the term Rupert's Land shall include the whole of the lands and territories held or claimed to be held by the said governor and company.

Mr. LEMIEUX. Has my hon. friend read clause 146 of the British North America Act, which says:

> It shall be lawful for the Queen, by and with the advice of Her Majesty's most honourable Privy Council, on addresses from the Houses of parliament of Canada . . . to admit Rupert's Land and the Northwestern territory or either of them into the union.

According to that, Rupert's Land and the Territory are two different things.

Mr. BOURASSA. That is what I said, but a year later another imperial statute declared that, for the purposes of the union, Rupert's Land shall include that country and the whole of the Territories. As a matter of fact, Rupert's Land is named in the British North America Act, but it is defined in the letters patent granted by Charles the Second to the Hudson Company; and the limit of Manitoba, as created a province by this parliament in 1870, had nothing to do with the Rupert's Land as defined by the letters patent granted by Charles the Second two centuries previous. It was never imagined then that the parliament of Canada would subsequently carve a province out of that territory to be called Manitoba and set limits to it. As stated by the right hon. the First Minister this evening, and by the hon. the Minister of Justice on the second reading of the Bill, Rupert's Land formerly included all the territories whose waters flowed to Hudson bay; and after the company had secured their legal title to the occupation of those lands and the exercise of the prerogatives of government therein, they occu-

pied, I may say by usurpation, the rest of the territory, and the British government informally acknowledged that occupation, so that when we had to deal with that company the British parliament had to pass an Act, which not only covered the country legally known as Rupert's Land, but the whole of the Territories.

Mr. LEMIEUX. I must thank my hon. friend for this little lesson in geography. But if he would refer to the 'Hansard' of Monday last, he would see that I spoke of Riel and Bruce as representing the delegates of Rupert's Land, and speaking only of the colony of the Red River settlement.

Mr. BOURASSA. As stated by the First Minister a moment ago, the only permanent inhabitants, the only inhabitants who had settled in that country, were, most of them, settled along the Red river, but other establishments were made as far as Portage la Prairie. And if my hon. friend will refer to the debates that preceded the establishment of the province of Manitoba, he will find that there was a discussion in that parliament as to whether or not such portion of the territory as includes the Portage la Prairie district would be included in the new province of Manitoba.

Mr. LEMIEUX. The Hon. Mr. Brown refused to accept the total claims made by the Hudson Bay Company.

Mr. FITZPATRICK. It has never been accepted.

Mr. LEMIEUX. So my hon. friend might also learn something.

Mr. BOURASSA. I have a great deal to learn. But I generally try to know the subject upon which I have to speak. I say simply that there was nothing in the argument of the hon. gentleman this afternoon, who has tried to show that Rupert's Land was, as a matter of fact, the province of Manitoba.

Mr. LEMIEUX. I understood that Riel and Bruce, in their list of articles, spoke of the Red River settlement. That is clear in the list of articles and the sessional papers.

Mr. BOURASSA. That does not alter the case. They represented the inhabitants who lived then in the Red River settlement; but when they came here to present their claims, they claimed to represent the whole of the inhabitants in the Northwest Territories. They asked such and such conditions to be granted on the admission of Rupert's Land and the Northwest Territories. I now come to the point of the right hon. the First Minister, namely, that because this parliament, for the time being, confined Manitoba within certain limits, these basic conditions, which were asked for by the delegates from Red River, who claimed that these conditions should apply to the whole of Rupert's Land—that because the Dominion parliament limited the actual application of their claim to the then created province of Manitoba, that meant that this parliament did not want to give the application of those claims to the rest of the Territories. I do not see anything on record to show that because the Dominion government then created only one province, the parliament of Canada thereby refused to acknowledge the moral right of the people outside of that province, but within the same territory, to the use of their language and to their own schools, and that their descendants who should found settlements outside of that province should be deprived of the application of the same rights. I cannot believe that; and unless it be shown to me by the archives of this parliament, I cannot believe that Sir George Cartier, Sir John Macdonald —though I must say that they acted on that occasion, at least so far as certain details of that agreement are concerned, in such a way as to have profited by the good faith of the delegates—I cannot believe that because they gave certain limits to the province of Manitoba, they meant to deny for ever the claims of those people, who were speaking in the name of all the inhabitants of the Northwest, to their own language and schools, outside as well as within the limits of the new province. So far as that matter is concerned, I agree with the hon. the Minister of Inland Revenue (Mr. Brodeur) in thinking that the moral obligation of this parliament covered the whole of that territory. The province of Manitoba was created, and article 23 was introduced in the Manitoba Act of 1870. That article is well known no doubt to all the members of this House; it reads as follows:

> Either the English or the French language may be used by any person in the debates of the Houses of the legislature, and both these languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person, in any pleading or process in or issuing from any court of Canada established under the British North America Act, 1867, or in or from all or any of the courts of the province. The Acts of the legislature shall be printed and published in both those languages.

It does not seem that the parliament of those days—and if I take the words of the hon. Minister of Justice, uttered some time ago, they had the full power to do what they did—were so scrupulous as is the parliament of to-day about imposing the use of the French language for all time to come on any province. There was no opposition in those days to the granting of a dual language for the province of Manitoba. Has the constitution changed since 1870? The men who framed the Act of Manitoba were, most of them, the men who framed the constitution of 1867. Will it be said that this provision, adopted unanimously by the parliament of 1870, constituted a breach of the constitution, which was then just fresh in

the minds of every man who made that law? Is the Prime Minister prepared to say that Mr. Blake, Sir Richard Cartwright, Mr. Holton, Mr. Huntington, Sir John Macdonald—all those men who passed that legislation without a dissenting voice—were all untrue to their mandate and broke the spirit of the constitution which was just fresh in their minds, which had been framed by them and enacted by the imperial parliament ?

Sir, if it was not a break of the constitution in 1870 to establish the dual language in Manitoba for all time, why would it be such a break in 1905 to establish for all time the dual language in the Northwest Territories ? Now, the Solicitor General made an argument this afternoon that would be true if one fact was not forgotten. He said, Why don't you go to Ontario and raise a cry about the use of the French language there ? For the very reason given by the Prime Minister a moment ago, that by the spirit of the constitution of this country the province of Ontario is not a creation of ours ; it was a sovereign colony when it entered the confederation in 1867, and the French language had no official recognition there at that time. But the representatives of Ontario as well as the representatives of Quebec declared, the first time they made a new province, that the dual language would be official. The reason was obvious. What was the idea of parliament in 1870 when they carved out the province of Manitoba ? It was something more and higher than merely to establish a new province. What were the words of Sir George E. Cartier when he spoke of establishing for the first time the Northwest Territories ? Did he say to the delegates from Manitoba, We are going to make a small province in Manitoba, but the rest of our territory will not be organized on the same basis ? No, but what he said was this :

> As soon as the resolutions were agreed to and the address passed, it would be the duty of the government to bring down a measure and obtain authority to organize a provincial government for that territory.

So it is not surprising if the delegates from that province thought that the parliament of Canada had in mind the organization of provincial governments. Sir George Cartier added :

> The British North America Act would soon be carried out by a succession of provinces from the Atlantic to the Pacific.

Now, Sir, the British North America Act, leaving aside all small considerations of detail, had, I think, two great objects in view. The first has been frequently stated, it had for its object to bury all quarrels of the past between Upper and Lower Canada, that was the birth idea of confederation. The second idea was a larger one, one that had been conceived by imperial statesmen and by Canadian statesmen, it was the loftier idea of creating under the British flag, from the Atlantic to the Pacific, a great confederacy of provinces, the basis of which would be the principle of equality which had been accepted by both races in this country. It was at first to unite the existing colonies and then to make them one nation. It did not enter into the minds of the fathers of confederation to impose the French language upon the province of Ontario, neither upon the provinces of Nova Scotia, New Brunswick, Prince Edward Island and British Columbia, which already had constitutions, which already had parliamentary institutions. But when they considered—and this was the second object of the Confederation Act—when they considered those virgin lands when they threw open to civilization those immense territories which had theretofore been only the domain of the Indian and the buffalo, what was the idea which dominated their minds ? It was to introduce there an idea that would include both nationalities, to introduce an idea that would bring together the French and the English ; it was to create there a British colony, but also an Anglo-French alliance, that would endure for all time. That was the mother idea of confederation which dominated the minds of Sir John A. Macdonald, George Brown and Sir George E. Cartier. Their idea was that in those new territories, provinces should be carved out where the best traditions of England and France would be introduced and maintained for all time to come. And are we going to be called demagogues, are we to be branded with the narrow accusation that we wish to make a few votes in our province because we desire to keep that pledge that not only was given to the people of the new Territories, but which formed one of the bases of confederation ? Are we to be condemned because to-day we wish to give effect to that intention of the fathers of confederation, to that intention of the framers of the Manitoba Act, which we wish to perpetuate in the northwestern provinces ? We desire to prove that the agreement between the English and the French still endures.

The Solicitor General, I was sorry to hear, made an argument this afternoon that because the French Canadians are less numerous in the Northwest than the Germans, or the Scandinavians or the Doukhobors, there is no reason to grant us the official use of the French language. The Prime Minister argued that it would not be fair to ask for the official use of French because we were only a small percentage of the population in those provinces. Sir, a question like that which was considered by the fathers of confederation and by the framers of the Manitoba Act, is not one of those that can be settled by quoting figures. What are we doing at the present time by this legislation ? We are not creating two provinces for five years, or ten years. What will be the character of the population of those pro-

vinces in the future ? My hon. friend has given this afternoon some figures that throw a great deal of light on this question. It is true that we are only four per cent of the population in those two provinces. At one time there were, besides Indians, no other representatives of civilized nations but the French and the English. But if it is true that in 1901 only four per cent of the population was French, it is equally true that only 47 per cent was English speaking, including Scotch, Irish and Welsh ; all the rest was composed of foreigners from other lands, men who have no traditions in common with the two original races in this country, who know nothing of our history, who know nothing of our constitution, which is now thirty-three years of age. I say it is the duty of the founders of these provinces, it is their duty to the descendants of those French pioneers who were the first to bring civilization to those western countries as well as the first to plant it on the shores of the St. Lawrence, to join hands with the English-speaking people in the resolve to unite these two races together so as to make that country great, a British country as long as possible ; but at the same time to make it so far as traditions are concerned, an Anglo-French country, so as to realize that great idea of the former leader of the Conservative party whose memory and whose words are now impressed upon the minds of hon. gentlemen opposite. I appeal to the better feelings of my hon. friends of the Conservative party, I appeal especially to the better sentiments of the Liberal party, and I say : Let us follow the teachings of the men of 1867 and the men of 1870. Instead of looking into ancient documents, instead of quoting from books to ascertain what our rights are, to ascertain what was the intention of the fathers of confederation, let us recognize it more clearly in the words of Sir John A. Macdonald when he said that there should be no predominant race in Canada, that whether one was more numerous or less numerous than the other, whether one was poorer or richer than the other, was not to be considered ; we should only keep in view that we are one united people, though cherishing in our memory what both races have done to build up this great country.

Why do you not join hands together and instead of catering for French votes or for English votes, look to the future as the great men who have built up our country did, and if so, why refuse to put into the constitution of these Territories the very provision which was put into the British North America Act, into that very clause 133 which had been read by my right hon. friend the Prime Minister, and which says that both languages are official in this country ? If it is disrespectful to the provinces of Alberta and Saskatchewan to say that French shall be an official language, there, why should the English language be imposed upon us as an official language in Quebec ? It may be stated to-day that the English language is the official language of this country because this is a conquered country. I am not going to use bitter words in regard to arguments of that sort. I quite realize that some of my English-speaking friends, who, perhaps, have forgotten some of the developments of our history and think only of such dates as 1759 and 1763, may think they are justified in saying that this is a conquered country ; but I would refer my liberal friends to the speech delivered in 1890 in this parliament by the late Hon. David Mills, who proved conclusively that there was no such thing as an official language under the British constitution, that what gave an official language to a country was the language of the majority of its inhabitants, and that when Canada was taken over by the English it was not necessary to put into the Treaty of Paris that French was acknowledged as an official language, because the French language was the birthright of the country. You have become the majority ; is that a reason why you should deprive the people of the right to the official use of that language in these new Territories which had no constitution of their own when they joined confederation and therefore were not in the position of the older provinces ? They were carved and created by the people of Canada out of virgin land, purchased by all the people of Canada, paid for by all the people of Canada, and I ask : Why do you not join hands with us and put into the constitution of these Territories the same principle which was put into the constitution as far as this parliament is concerned and as far as the legislature of the province of Quebec is concerned, and declare that the dual language shall be official in the Northwest Territories ? Really, I cannot see, if my English-speaking friends are true to the traditions of their nation, why they should object to this. Do you think that the French Canadian people will be less loyal if their language is put there as the official language? If there is a black page in the history of England it is the attempt to impose the English language and English ways of education upon the old land of Ireland. For 400 years the attempt has been made by force of bayonets to impose the English language upon an unwilling people. Think you that the Irish people have been thereby made more loyal, or that they will be made English by law ? No, Sir. To come back to our own land of Canada, which was the possession of a nation that had been fighting with your ancestors for years, do you think that the descendants of that nation would have become loyal if the British government had undertaken to enforce upon them the methods of government that have been carried on in Ireland ?

Mr. SPROULE. Are the people of Alsace and Lorraine less loyal to the German empire because the Germans insist upon the language of the empire being spoken ?

Mr. BOURASSA. I am very glad the hon. gentleman has brought that point to my attention. If my hon. friend knew the conditions which prevail in that country, he would know that there are two races, the Alsatians and the people of Lorraine, that the Alsatians are German by birth, education and language. Under the French government all their schools were German. The official language, as far as municipal documents were concerned, was German. After the war of 1870 the German language was imposed upon this province by law. What was the result ? The Alsatian people started to speak French in protest against that legislation, and if the hon. gentleman will refer to the latest studies that have been published, not upon the official administration of Alsace and Lorraine, but upon the true sentiments of the people, he will find that up to a few years ago, Alsatians, who spoke good German and who hardly could speak French, when they met a German official spoke to him in broken French rather than have it said that they were a conquered race. But within three or four years the Emperor of Germany has changed his mind upon that question, as he has changed it upon many other questions. The Emperor of Germany, frightened at the increasing development of socialism, is endeavouring to bring to the support of his empire all the conservative elements within it. Laws of exclusion against the Catholics have been repealed. A more liberal method of government has been introduced into Alsace and Lorraine, and within the last few years the sentiments of the Alsatians have changed more rapidly than for the previous thirty years.

But, my point is this, and perhaps I have passed over it in the heat of argument: Coming back to the figures which my hon. friend the Solicitor General quoted to-day, let me say that you have in the Northwest Territories at the present time more people who are neither English nor French than there are who are either English or French. Cannot the government and the members of this House, and especially the members of the opposition, forget for the moment party considerations and even, I may say, racial considerations, and realize that in the future of this land, in thirty or forty years probably, three-quarters of the people in the Northwest will be neither French nor English? If so, this is the proper time to implant into the new and coming race the spirit of our constitution, so that French Canadians will go there and help you in maintaining the Canadian character of that country. If before 1867 there were English-speaking provinces and there was one French province in British North America, since 1867 you have only eight Canadian provinces. To take an example from the figures that were quoted this afternoon, you have two elements in this country ; you have the racial composition and you have the national composition. It may be that in one province it is more English and that in another it is more French; but all provinces are more Canadian than before. I say that if we want this country to last, if we do not want these western provinces to become the destroyers of confederation, if we do not want, within fifty or a hundred years, the thousands and millions of men who have no attachment to our traditions, who know nothing of our history and development, whose sentiments are largely attached to themselves and to the present, to take control of that country, we must take hold of it ourselves. If we do not implant in western Canada the traditions which have been so fruitful in bringing about the development of eastern Canada where we French Canadians unite with our English-speaking compatriots and share their attachment to our country, the time will come when that western country will not be English or French, and Canada itself will be no more Canadian. If there were no other ground than that, I say that it would be the duty of this parliament to make that country an Anglo-French country.

I am not going to enter into a discussion of the effect of this amendment or of the effect of Sir John Thompson's amendment, but I simply say this is the time to make the constitution of those provinces. It was the opinion of the framers of the Northwest Territories Act in 1877 that their Act was not complete without putting in the dual language clause. They did it. In 1890, they removed a part of that article and allowed the rest to remain there. My hon. friend the leader of the government has stated that the only reason why the preservation of the French language in the courts was agreed to in 1890 was because the courts were federal courts, but that if they had been provincial courts probably the same fate would have been meted out to the French language as far as the courts are concerned as that which befel it as far as the legislative assembly was concerned. That is not the only reason given by Sir John Thompson ; here is another reason given by him which will last long after this Bill has become law. Referring to the abolition of the language in the courts, he said :

> If that provision be obligatory we may have the misfortune of seeing men brought to the bar of justice in our own courts, tried before our own judges, convicted, condemned and sentenced in a language not one word of which they understand, and unable to offer a plea for justice or for mercy.

That is a reason which will last long after the adoption of this Bill. A telegram has come from Mr. Justice Pendergast say-

ing that nobody has pleaded in French in the courts of the Northwest Territories for some years. Well, we are not making a temporary law here, nor are we making a law for the few French Canadians that are now there. We are making a law for all time to come, and why not leave the door open so that when the number of French Canadians will be increased there, they will find on the statute-books a provision for the use of their language which they can avail of. Why not give to these few French settlers, poor as they may be, the right to plead before the courts of their country in their own language. In the Yukon Territory, which is under the same law as the Northwest Territories, a year ago an attempt was made by a judge to prevent a man giving his testimony in French, and the judge was obliged to be reminded that the man had that right under the law of the land. Why should we not be protected against the same danger in future? Well, Mr. Chairman, I go further; even if I should be exposed to the danger I have been exposed to during the last few days of being called a French demagogue, I am going to move an amendment to the motion of my hon. friend (Mr. Monk), and it is in these words:

That all the words in the said amendment beginning with the word 'provided' be struck out.

My object is clear and plain. I want the law to be as it was in 1877. I want the law to be as it is in the province of Quebec. I want the law to be as it is for this Dominion parliament. If the parliament of 1890 forgot the intention of the framers of our federal constitution and of the Northwest Territories constitution, that is no reason why now when we are legislating for the future we should not put into the constitution of the provinces of Alberta and Saskatchewan the same provision as was inserted in the constitution of the province of Manitoba. I have extended my remarks longer than I intended, because it seems to me that this is a most important matter, for it will have its effect upon the teaching of French in the schools. I have always known that there was no guarantee given us by law with regard to the teaching of French, but there are other guarantees than are to be found in the actual text of the law. If we make the French language one of the official languages of the provinces of Alberta and Saskatchewan it will be a further reason why French speaking fathers of families will, especially in separate schools, teach French to their children. In fact, one of the reasons that were given in 1893 against the ordinances of 1892 was, that it was against the spirit of the constitution of these Territories to abolish the teaching of a language which was acknowledged as an official language by the constitution of that country. I therefore say that for the protection of the children as well as to uphold the principles laid down as the basis of our constitution, we should without restriction and without equivocation make the French language one of the official languages of these provinces, and nobody will suffer by it. Neither the English-speaking majority nor the British Crown will be impaired by that—I will not say by that concession—but by the acknowledgment of that principle which is a basic principle of our constitution.

Mr. SPROULE. I shall occupy but a few moments dealing with this question because it seems to me that in this age of the world it will not be necessary to defend at length the stand which I intend to take. I do not agree with the hon. member (Mr. Bourassa) either in his logic or his conclusions, both of which were much at fault. I happen to find myself to-night—it is a very rare thing indeed—in agreement, with the leader of the government on a question of this kind. We were together in 1896 on the great question of provincial rights, and we are together to-night on this question of the French language. Let me express the hope that before this Bill goes through the right hon. gentleman will come back to his position of 1896 in defence of provincial rights, and then we will be absolutely in accord; but I am afraid he is like the Indian who lost his wigwam. The hon. gentleman (Mr. Monk) who introduced the motion said: That in pursuance of a solemn agreement entered into when Rupert's Land was acquired we should continue the French language in that territory. I have not a very religious regard for these solemn agreements that we have heard so much about for the last few weeks?

Sir WILFRID LAURIER. We have known that for some time.

Mr. SPROULE. Yes, and you agree with me to-night in that regard because you expressed exactly the same sentiments which I express. That sentiment is, that if we are to do what is right we must deal with conditions as we find them, and that although at one time the French people in the Northwest Territories might have been in the majority, they are to-day only four per cent of the population, so that it is absolutely useless and needless to maintain the French language so far as the requirements of the people in that country are concerned. There might be something in favour of the argument that we should give an official language to the Germans or to the Russians because they are increasing more rapidly in proportion to the population, while the French are decreasing in proportion to the increase of other nationalities.

Mr. BOURASSA. The French people are increasing very rapidly in proportion to the population. They were only two per cent

in 1891, and in 1901 they were four per cent of the population.

Mr. SPROULE. The hon. gentleman (Mr. Bourassa) seems to imagine that all the knowledge in the world is in his cranium. If he had listened to me he would have heard that I said that the French were not increasing in proportion to the increase of other nationalities.

Mr. BOURASSA. That is exactly the point which is contradicted by the figures which were given by the Solicitor General.

Mr. SPROULE. In 1891 the French were 2·31 per cent of the population, and in 1901 they were 4 per cent.

Mr. BOURASSA. Exactly.

Mr. SPROULE. But listen to this. In 1891 there were no Germans in the country and in 1901 there were 19,572 or 12 per cent of the population. Does that not show that my statement is correct. I said that the French were not increasing proportionately as other nationalities are.

Mr. BOURASSA. As some others.

Mr. SPROULE. Well, take the Scandinavians. In 1891 there were none in the Territories and in 1901 there were over 5,000 Scandinavians or 3·39 per cent of the population. In 1891 there were no Russians in the Territories, but there are 17,051 there to-day. Therefore the French have not increased as rapidly in proportion as any of these nationalities I have mentioned. If the French were increasing very rapidly and if they were going to be numerically very much stronger than the other nationalities, there might be some justification for arguing that you should make the French language official or semi-official. But when we remember that they are only 4·43 per cent of the population to-day there seems to be no reason for such suggestion.

Mr. A. LAVERGNE. It would appear that other nationalities are increasing more rapidly than the English, and that therefore according to your argument the English language should not be official.

Mr. SPROULE. Not at all; there is not one-fourth the number in an English-speaking country to-day. But I ask, what is the history of every country in the world? Is it not a history of change? And must not governments keep up with the changed conditions? What is the history of constitutions? Is it not a history of evolution? What is the British constitution? Not a written constitution. It is a constitution which is changing every year of its life; it is a constitution that grows by accretion and evolution. And it is so in that country as much as in any other. While there may have been a justification at one time in the history of the Northwest for making the French language official, there is no justification for it to-day, because the French element is not sufficiently numerous to warrant it.

Mr. MONK. Would my hon. friend allow me to ask him a question? If there was a pledge or agreement made, does my hon. friend think that number or proportion can affect that?

Mr. SPROULE. What are we doing in every session of our parliament? Are we not breaking pledges that were made in the past? Are we not making laws to repeal others under which vested rights were acquired? Are we not taking away the liberties of the people in various directions? Yes, we are doing it. That is the history of every parliament in the world. I have not the sacred and religious respect which some people have for pledges given forty or fifty or a hundred years ago, given under conditions that do not exist to-day, and there is not the same necessity now for carrying out those pledges that there was at that time. We must be up-to-date. There is not a religion under the sun that is not changing; there is not a constitution that is not changing; there is not a parliament that is not changing. So it is with countries, and so it is with provinces and localities. The language that was spoken in England centuries ago is not spoken to-day. There is no need of it, because other people are occupying the ground. When the Romans occupied England, the Roman language was spoken there, but it is not found there to-day, because the conditions have changed. Other languages have come in and taken its place. So it must be in the Northwest Territories as in every other part of the world; as the conditions change the language must change. We must deal with this matter in the light of existing conditions, and the existing conditions do not in my judgment justify either making the French language official in the legislative assembly or authorizing its use in the courts. The hon. member read what Sir John Thompson said to the effect that it would be a strange thing if we convicted a man belonging to the French race in a court where the evidence against him was given in a language which he did not understand. The same thing was done in the case of an Italian who was tried at North Bay the other day; it was all done through an interpreter. Is not the same thing done every day both in Canada and the United States? Although foreigners come here who do not understand our language——

Mr. A. LAVERGNE. Does my hon. friend pretend that the French Canadian is a foreigner in Canada?

Mr. SPROULE. I am not saying anything about them being foreigners. I am talking about criminals being convicted in a court where they do not know a word of the language that is spoken; and when the hon. gentleman quoted the language of Sir

John Thompson as an argument why we should make the French language official, I say it is not a strong argument at all, because the same remark would apply to the Doukhobors, the Galicians, the Finns, the Poles and the Italians.

Mr. A. LAVERGNE. That is putting the French Canadians on the same footing as the Doukhobors, Galicians and Poles.

Mr. SPROULE. No, I am not making any comparison at all. The French Canadians may be as far superior to these other nationalities as day is to night or light to darkness. I am only discussing the question whether it is or is not a great hardship or a great wrong to a man to be tried in a court of justice where he does not understand the language that is spoken—that is all. It is done in every country in the world to-day. The history of every country in the world is a history of change, to suit changed conditions. France is an illustration of it. Spain is an illustration of it. The hon. gentleman referred to Alsace and Lorraine. A gentleman who travelled in those provinces told me last year that when they were taken over by Germany, nearly everybody there spoke French, but that you would be surprised to-day to find nearly everybody speaking German, and the strange thing is that there is no complaint about it, although the change was compulsory. I do not go so far as that, because I think we ought to be more generous; but in that case, though the change was made by law, no great hardship has resulted. Nor will it be so in the Northwest any more than it has been in Alsace and Lorraine. We are told that unification is an impossible task, that it is a Utopia, and that therefore we must keep up two languages.

My hon. friend from Jacques Cartier said, why shall we not be allowed to speak our mother tongue? I understand at one time that the hon. gentleman was half Scotch and half French, but I am told that he is half English and half French; what would be his mother tongue ?

I am told that in Glengarry there were a lot of Scotchmen who married into the French Canadian race ; which language would be the mother tongue of their children ? Are we going to perpetuate it by law ? Let the law of the survival of the fittest be the law that will determine that. We need not trouble ourselves with it at all. The hon. gentleman says it is hard to deprive people of the right to speak their mother tongue. Nobody wants to deprive them of the right to speak their mother tongue; let them speak it as long as they like. I was interested in one statement that was made by the Solicitor General. He said, why are you demanding this privilege for the Northwest? Have you had a single petition from the French there asking that it should be done ? He thought that was a strong reason why it should not be done. I ask, is there a single petition from either the French or the Roman Catholics of that country asking that separate schools be forced on the people ?

Mr. SCOTT. There is a petition from the legislature. The Haultain draft Bill asked for separate schools.

Mr. SPROULE. Not at all. The legislature passed two resolutions asking parliament to repeal the law. The hon. gentleman will wish he had not spoken, because he has only put his foot in it. The only expression we have from the legislature as a legislature was the two requests which they made that the right should be done away with.

Mr. SCOTT. Those two memorials of which the hon. gentleman speaks were passed before the ordinances of 1892 were passed. Since the change was made in the ordinances there has been no complaint on the part of any person in the Northwest against the existing separate schools.

Mr. SPROULE. Has there been any request from the legislature that you compel them to have separate schools for ever?

Mr. SCOTT. I say that the Haultain draft Bill contains that request, and I challenge the hon. member to ask his leader to deny it. The Haultain Bill certainly asked for the perpetuation of separate schools.

Mr. R. L. BORDEN. If my hon. friend asks my opinion I say it does nothing of the kind.

Mr. SCOTT. I would call the attention of the leader of the opposition to an expression he used on May 10, when he said that he coincided entirely in the opinion of the Minister of Justice that section 93 would not only perpetuate existing separate schools, but would secure to the Northwest minority what is termed full justice.

Mr. R. L. BORDEN. I do not think the hon. gentleman will find that I said that. If I am so represented, I was wholly misreported, but I have not seen it in 'Hansard' and I do not think it is there; I have expressed an exactly opposite opinion.

Mr. SPROULE. If section 93 provided for all that, why was there any necessity for clause 16 and the amended 16 ?

Mr. SCOTT. For the very purpose that 16 was put in, to modify section 93.

Mr. SPROULE. Because clause 16 in the Haultain Bill was the same as in this Bill.

Some hon. MEMBERS. Order.

Mr. SPROULE. What is out of order?

Mr. A. LAVERGNE. My hon. friend is speaking to a motion dealing with the question of language, but he is now discussing separate schools.

Mr. SPROULE. I was interrupted by an hon. gentleman opposite and now this hon. member has not the courtesy to allow me to answer his own friend. I said if there was any force in the argument that there were no petitions from that country asking that the French language be made official, that argument is equally strong with regard to separate schools because there is not a petition asking that separate schoo's be made permanent in that country. A good deal has ben said about the Bill of Rrights to-night, and I do not think it is necessary for me to refer to it.

Some hon. MEMBERS. Hear, hear.

Mr. SPROULE. My views were expressed very closely by the Prime Minister himself. I was rather inclined to think his sentiments to-night were not quite in accord with some sentiments I have heard him utter before in this House. I tried to hunt them up hurriedly, but have not succeeded in finding them. Perhaps I can do so later. I am glad to see that he is with me because I think he is now in the right track and I agree with him and am glad to do so. There is no need in the world for any people, whether French or any other people, to have French made official. If the French become strong enough they have sufficient national characteristics to make their language permanent.

Sir WILFRID LAURIER. Hear, hear.

Mr. SPROULE. I said that after I had been a few years down here that there was one nationality that would down the Scotch. The Scotch seem to have a preponderating influence in their nature as a nationality, so that if they inter-marry with other nations the Scotch seem to always turn up as the dominant element.

Some hon. MEMBERS. Hear, hear.

Mr. SPROULE. But I found that when I came down here that if there was a union between the Scotch and the French the French would in every case become the dominant element; it was the French language that prevailed and the Galic that went into oblivion. In view of that you can safely trust the French whenever they plant themselves in any part to perpetuate their language without its being made the legal language.

Mr. BRODEUR. I wish to make a few remarks with regard to the motion of my hon. friend from Jacques Cartier (Mr. Monk). I am somewhat surprised to see the terms used by my hon. friend in his motion. I think that it would not be advisable to restore what was abolished in 1892. My hon. friend knows very well, and he has shown it in his speech, that in 1890 a motion was made before this House declaring practically that the Northwest Territories legislatures would have the right to abolish the French language in the proceedings of the legislative assembly.

Mr. MONK. No, I do not know that. What the statute of 1890 said was that the legislature after the next election could regulate its proceedings if it thought fit.

Mr. BRODEUR. I suppose it comes to the same thing. There is no use our playing on words with regard to that. It is very plain to me that the object of this motion, the object of the law which was passed in 1891, was that the local legislature would have the right to deal with that question and to decide how its proceedings should be published. This gave to the legislature the right to declare whether the French language would continue to be an official language in the records or in the proceedings of the legislature or not. I suppose my hon. friend will not dispute that fact? I will go further. I do not know whether the statement has been made before or not, but I say that in the proceedings of the assembly in 1892 a resolution was moved by Mr. Haultain to the following effect:

> That it is desirable that the proceedings of the legislative assembly shall be recorded and published hereafter in the English language only.

We are face to face with the statement that in 1877 the French and English languages were to be the official languages in the Northwest Territories. I will explain in a few minutes how that resolution came to be incorporated in the Bill of 1877. Dealing now with what happened in 1890, I find that then and there it was decided that the local legislature should be absolutely free to decide how the records, how the proceedings of the legislative assembly should be recorded, and we find also that in January, 1892, as I have just mentioned, on motion of Mr. Haultain, the English language was declared to be the only official language in the records and proceedings of the legislative assembly. Now, this is a settled question as far as this parliament is concerned. It is a question over which it would not be advisable to try to do what was done in 1890. But what is my hon. friend proposing? Is he proposing to declare that the English and French languages will be forever the official languages in the Northwest Territories? No, he simply says we are going to declare that the English and French languages shall be official languages, but next year, after a few months, six months from that time, the legislative assembly would have the right to declare whether the French language would continue to be an official language or not. Why not take a bold position? Why should my hon. friend, if he wants to restore the French language, if he is serious in contending that the French is an official language in the Northwest, not formulate words declaring that it shall be for ever the official language in the Northwest?

Mr. MONK. I am much obliged to my hon. friend for his suggestion. I am prepared to adopt it. It is a very valuable suggestion.

Mr. BRODEUR. I was discussing the motion of my hon. friend.

Mr. MONK. Does he not think he can address himself to a higher phrase of the question ?

Mr. BRODEUR. That is what I am doing.

Mr. A. LAVERGNE. My hon. friend can vote for the sub-amendment.

Mr. BRODEUR. I suppose I may discuss the motion of my hon. friend. What I find is that it is simply repeating word for word the resolution which was adopted in 1892, which gave to the legislative assembly of the Territories the right to abolish the French language, and he knows well that it did abolish that language.

Mr. MONK. I am ready to forego that part of it.

Mr. BRODEUR. Is not my hon. friend proposing the same legislation that was adopted in 1890-1.

Mr. MONK. My hon. friend puts me a question. I tell him that it is necessary to re-empower the provincial legislature to deal with the question, so far as its proceedings are concerned.

Mr. BRODEUR. Then the motion of my hon. friend is absolutely useless from a practical point of view. The records of the legislative assembly of the Territories show that in the Northwest to-day the French is not desired as an official language.

Mr. MONK. I do not know that.

Mr. BRODEUR. I am quoting to my hon. friend what happened in 1892. I suppose he knows that ?

Mr. MONK. Oh, yes.

Mr. BRODEUR. I shall read it again.

Mr. MONK. That is not necessary.

Mr. BRODEUR. On the 19th of January, 1892 it was decided by the Northwest legislature, on a division of four to twenty, that ' it is desirable that the proceedings of the legislative assembly shall be recorded and published in the English language only.' Now what is my hon. friend proposing? He is proposing that we should give again to the local legislatures of the new provinces the right to declare, as the territorial assembly has done, that the official use of the French language be abolished.

Mr. MONK. Is this parliament of the same opinion as it was in 1892 ?

Mr. BRODEUR. I am quoting what the local legislature did in 1892. How is it that the use of the French language was provided for in the Northwest Territories Act ? It has been stated that there was a compact regarding the use of the French language with the representatives of the Red River settlement in 1870. My hon. friend from Jacques Cartier has suggested, and it has also been suggested by some other members of this House, that I declared there was a compact with regard to separate schools ; but these hon. gentlemen have forgotten one thing. I never asked with regard to the school question, that we should adopt, word for word, the agreement, if there be an agreement, with regard to the Northwest. I never suggested that this agreement should be accepted word for word or in its entirety.

Mr. MONK. Neither did I. I am ready to accept any suggestions.

Mr. BRODEUR. My hon. friend the leader of the opposition suggested this afternoon that we were bound by an agreement which I said had been made in 1870. What was the agreement with regard to the school question ?

Mr. R. L. BORDEN. If my hon. friend will allow me, what I said was this. I distinctly understood him to argue that the two Bills of Rights, to which reference was made, extended to the Northwest Territories as well as to the province of Manitoba ; and because they did so, the hon. gentleman argued there was a compact in respect of separate schools.

Mr. FITZPATRICK. Does my hon. friend remember whether or not the Bill of Rights was ever discussed in any case before the court, or has ever been accepted by parliament, as conferring any right whatever. I have examined every document and book I could get, and I never found anything was ever based on the Bill of Rights either by way of legislation or decision of the court.

Mr. R. L. BORDEN. I think it was used by Mr. Ewart in his argument before the sub-committee of the Privy Council of 1895 with regard to Manitoba.

Mr. FITZPATRICK. What I asked was whether my hon. friend knows whether anything has ever been based on that Bill of Rights?

Mr. R. L. BORDEN. I could not at the moment say. Of course, my hon. friend the Minister of Inland Revenue based something on it.

Mr. BRODEUR. Not as a legal argument. I think my hon. friend will admit that. I never based anything upon it as a legal argument.

Mr. R. L. BORDEN. As a compact ?

Mr. BRODEUR. As a moral obligation to a certain extent.

Mr. R. L. BORDEN. And my hon. friend extended it to the Territories ?

Mr. BRODEUR. Based upon a compact I was discussing then. But I said I never for one moment pretended that we are obliged to adopt this agreement, if it refers to the Territories. There is some divergence of opinion as to that. Some say that all the rights conceded in 1870 have been incorporated in the Manitoba Act. Some others pretend that these rights apply not only to Manitoba but also to all the settlements in the Northwest. But coming to what I said the other day, what I said was that there was a moral obligation, that the school question was one of the rights demanded by the settlers in 1870 and incorporated in the Bill or Rights. They demanded that they should have their own separate schools and that the public money granted for education should be distributed among the different denominations in proportion to their respective numbers as is done in the province of Quebec. My hon. friend will admit that the legislation we have submitted with regard to separate schools does not go so far as that. I was simply quoting that just as a moral obligation to a certain extent on our part, which obligation was incorporated later on in the legislation of 1875, and which is recognized by the different statutes we have to-day; and I added that what we wanted to incorporate in the legislation of to-day are the rights and privileges which the minority are now enjoying in the Northwest. I never pretended that we should enact legislation entirely upon the Bill of Rights—clause 7, No. 4—but simply that we should continue the system now existing. What I am claiming to-day with regard to the French language is the same thing.

Mr. R. L. BORDEN. I understand that what my hon. friend from Jacques Cartier is asking by his motion is that the present system shall be continued.

Mr. BRODEUR. No, he is not asking for that.

Mr. MONK. I beg my hon. friend's pardon. That is what I am asking for.

Mr. BRODEUR. What he is asking is to give to the new provinces the power which was given the territorial assembly in 1890, which power that assembly exercised by abolishing the French language.

Mr. MONK. My hon. friend is totally mistaken. That is not what I am asking at all. The power given in 1891 was a power granted to the assembly of the Northwest Territories. That assembly will be in a day or two non-existent, and the power will be granted anew to the legislature of the province.

Mr. BRODEUR. But let us come to questions of fact. Is the French language to-day in use or not in the legislative assembly of the Northwest ?

Mr. R. L. BORDEN

Mr. MONK. Is the legislative assembly going to be continued or is it to be abolished by this Act ?

Mr. BRODEUR. I am asking the hon. gentlemen this question : Is the French language to-day in use, or is it not, in the legislative assembly of the Northwest ? I claim it is not ; my hon. friend says it is, if I understand him aright.

Mr. MONK. Will not my hon. friend admit that we are creating a new state of things, a new province and a new assembly?

Mr. BRODEUR. What I am contending for is that we should take things as they exist to-day. What will be the result of the motion of my hon. friend ? I put the question to the leader of the opposition. What will be the result of this motion ? Will it not be that the legislatures of the two provinces will be obliged, at their next session, to publish their proceedings in French ? To-day they are not obliged to do so. A member of the local legislature to-morrow, if this motion carries, would have the right to speak in French ; to-day he has not that right.

Mr. R. L. BORDEN. Did the hon. gentleman ask me a question ?

Mr. BRODEUR. Yes.

Mr. R. L. BORDEN. He asks me what would be the result. I think the result would be this, that the legislature of the new province would determine, probably by resolution on the very first day, or the second day, on which it met, whether or not it would publish its proceedings in French.

Mr. BRODEUR. But if this motion is not carried the position would be different.

Mr. R. L. BORDEN. The hon. gentleman is right as to one aspect. But my hon. friend says he wants to continue the existing condition of things ; then he would have to continue the use of the French language in the courts and in the printing of the ordinances.

Mr. BRODEUR. I will come in a moment to that question. So far as the use of the French language in the legislature is concerned, the leader of the opposition admits that if this motion carries the situation will be different to-morrow to what it is to-day, because to-day the French language is not used in the legislative assembly, the Votes and Proceedings are published simply in English. But to-morrow, or at the next sitting of the legislature, so long as it does not exercise the powers which are given to it in this resolution, then the proceedings would have to be published in English and French.

Mr. R. L. BORDEN. The hon. gentleman is quite right, but I think he is overlooking one thing. The legislative assembly of the Northwest, on any day, could rescind that resolution and pass another. My hon. friend,

by his motion, simply asks that the legislature of the new provinces shall be placed in the same position, that is, that it can by resolution one day declare its proceedings shall be published in both languages, and that it may the next day or any other day declare that they shall be published only in English, or only in French. I am not arguing upon the motion, I am arguing merely as to the effect. As I understand his motion, he is desirous simply of giving to the legislature of the new province that power which the legislature of the Territories possesses at the present time. That has been exercised once by the legislature of the Territories, and it might be exercised again from time to time, as the occasion would require. So the power which he proposes to confer upon the legislature of the new province might be exercised to-morrow, might be exercised the next session in a different way, and so on from time to time. It is the vesting of a power, not the manner in which that power shall be exercised, with which the motion of my hon. friend from Jacques Cartier is concerned.

Mr. BELCOURT. Would not the legislature have that power, whether the motion is carried or not ?

Mr. R. L. BORDEN. That is only a proviso in what, after all, is the important part of the amendment of my hon. friend.

Mr. BELCOURT. The amendment, if it were passed by this House, would not give to the legislature of the new province any power which it does not now have.

Mr. R. L. BORDEN. I do not think the hon. gentleman understands the motion as I understand it. A certain limitation was imposed upon the power of the legislative assembly in that regard, by the statute of 1877 ; a proviso was added to that in 1892 which defines the power of the legislative assembly of the Northwest Territories at present.

Mr. BELCOURT. The power given in 1892 was general, unlimited.

Mr. R. L. BORDEN. If my hon. friend will permit me to finish the sentence—it defines the power which the legislature may exercise, defines the limit of their power with respect to the two languages. The statute of 1877, together with the statute of 1892 defining the power which the legislature of the Northwest Territories should have in that regard did not give the power to do away with the French language in the courts or in the printing of the ordinances ; it was therefore a limited power. My hon. friend from Jacques Cartier, as I understand his motion, desires to circumscribe the powers of the provincial legislature in exactly the same way. The exercise of that power is an absolutely different thing. It may be exercised in one way or another. It has been exercised in a certain way already, but when we are dealing with the limits of the power let us not confuse them with the exercise of that power.

Mr. FITZPATRICK. But to do this would be a departure from the British North America Act. What would become of section 92 ?

Mr. R. L. BORDEN. Why, the Minister of Justice has told us over and over again, let us not forget, that we are absolutely free to depart from section 92.

Mr. FITZPATRICK. So I say, and I want the hon. gentleman to say so likewise by voting for this amendment.

Mr. R. L. BORDEN. I am not dealing with the wisdom of this amendment, or its constitutionality, I am dealing with the meaning of it. Did my hon. friend think I was doing anything else ?

Mr. BRODEUR. The result of the motion of my hon. friend would be simply to put the legislature of the province in the same position as the assembly is to-day by the law of 1890, which gave them power to abolish the use of French. That was the object parliament had in 1890.

Mr. MONK. The hon. gentleman is mistaken, they have not abolished the French language, they have decided that the proceedings for the time being shall be in the English language. Does not the hon. gentleman think that they can revoke that to-morrow ?

Mr. BRODEUR. Certainly, the local legislature have power to restore any language they like. In the province of Ontario the legislature can declare to-morrow that the proceedings shall be published in French.

Mr. MONK. What does the hon. gentleman mean when he says they have abolished the French language ?

Mr. BRODEUR. I mean that they do not use it any more. There was a resolution passed, which I quoted a few moments ago, declaring that the only official language in the legislative assembly should be English. Does that mean that the French language can be used any longer in their proceedings ? I do not think so. Well, then, let us take the situation as we find it. I say the assembly has given its decision on that point, has exercised the authority which was vested in it by this parliament. It has always been the policy of this government to accept the situation as we find it, we have done so on the school question, and we will do so with regard to the French language.

Mr. R. L. BORDEN. If that is the policy of the government, they will have to accept this motion.

Mr. BRODEUR. No, because it has been decided by the legislative assembly not to use French any more. But that will not prevent the local legislature from restoring the French language if it likes. I come now to this point: How is it that the use of the French language came to be provided for in the law of 1877? We must not forget that in 1875 when we passed the Act in regard to the Northwest Territories providing for the appointment of a council and for the administration generally of the Northwest Territories, nothing was said in regard to the language question, but in 1877, a Bill was introduced into this parliament providing for the amendment of the Northwest Territories Act. The Bill passed the House of Commons and no mention was made of the French language. When the Bill was before the Senate the hon. Senator Girard proposed that we should add a resolution providing, that the French language could be used in the Northwest Territories. Why? Did he ask that in view of a compact or of an agreement? No, he advanced the simple argument, that, the majority in the Northwest Territories being French, it was only fair that the French language should be used in the legislative assembly. Here are his own words:

He would also call attention to the fact that the French language seemed to have been totally ignored in the Bill, although the majority of the people of the Territories were French.

That was the reason which was given. The amendment was made simply because of the fact that the majority in the Northwest Territories was French.

Mr. R. L. BORDEN. You are speaking of 1877?

Mr. BRODEUR. Yes. My hon. friends from Jacques Cartier and Beauharnois said that the question of population had absolutely nothing to do with it, that we had no right to-day to say that only four per cent of the population was French because it was, as alleged by my hon. friend from Jacques Cartier, an absolute right which could not be denied even if there were only five, or ten, or twenty French speaking people in those Territories.

Mr. MONK. Does my hon. friend not think that 8,000 is a very respectable number?

Mr. BRODEUR. When we take into consideration the fact that there were 158,000 people in the Northwest Territories in 1901, because I am speaking of the census of 1901, we will admit that 7,000 people is not a very large number. I am simply stating these facts to show to my hon. friend the reason which induced parliament to adopt the French language in 1877. It does not to-day impress itself in the same way as it impressed itself upon parliament then?

Now, coming to the question of the courts, I think that what has been said by my right hon. friend the leader of the government in regard to that is conclusive. Could we by Act of parliament, in 1890, have abolished the French language in the courts of the Northwest Territories? We have simply to read two articles of the constitution to find out that it would have been absolutely contrary to the constitution not to permit the use of the French language in the courts. What does section 101 say?

The parliament of Canada may, notwithstanding anything in this Act, from time to time, provide for the constitution, maintenance and organization of a general court of appeal for Canada, and for the establishment of any additional courts for the better administration of the laws of Canada.

Section 133 says:

Either the English or the French language may be used by any person in the debates of the Houses of the parliament of Canada and of the Houses of the legislature of Quebec; and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under this Act, and in or from all or any of the courts of Quebec.

Established under this Act. Are the Northwest Territories courts existing today, courts established under section 101 of the Confederation Act? Then, is not the French language an official language in the courts? But now the question assumes a different aspect. Now that the Northwest Territories are about to become provinces they have to be dealt with as all the other provinces are. The organization of the courts falls entirely under their control and they have the right to declare what language shall be used in the courts, whether it shall be English or French.

Mr. MONK. Will my hon. friend allow me to ask him a question in reference to that argument? What does he say in reference to the publication of the law? It does not fall under the argument which he has just made.

Mr. BRODEUR. It is a question also that appertains absolutely to the province. The provinces, under the Confederation Act, are obliged to say how their proceedings shall be recorded. But, I may be told: You are not adopting the same system as far as the school question and the language question are concerned. In regard to the school question you say that you must maintain separate schools in the Northwest Territories. There is a very good reason for that and I find it also in the constitution.

What does the constitution say in regard to the use of the French language ? Section 133 is the one which applies and it says that the French language shall be used in the courts established by the parliament of Canada in the Dominion parliament and in the courts and proceedings of the legislative assembly of Quebec. The constitution in regard to the question of schools is absolutely different. What does it declare in section 93 ?

> In and for each province——

Not only the four provinces which were then in existence but all the provinces which might be created :

> —the legislature may exclusively make laws in relation to education, subject and according to the following provisions:
> Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

What we are doing in regard to the schools is simply incorporating into the constitutions of these provinces the provision which is embodied in section 93 of the British North America Act. We find that under the British North America Act a system of separate schools will be recognized for ever in the Province, whether it exists, whether it is a province coming into the union, or a province where a system of separate schools may be established later on. As far as the French language is concerned, on the contrary, the British North America Act simply declares that the French language shall continue to exist only in the courts created by the parliament of Canada, or that it shall be used in the proceedings before the Supreme Court, or in the proceedings before the courts and the legislative assembly of the province of Quebec. So I say our contention is absolutely in conformity with the constitution of Canada, and I am sure that nobody will attempt to argue that our position on the question of the French language is not in harmony with the position which we took on the school question. As a question of fact is the French language used to-day in the courts in the Northwest Territories? Is it used to-day in the publication of the ordinances? I have been informed that the ordinances have not been published in French for many years, and that there never was any request for their publication in French by the French people there.

Mr. MONK. Is not that a violation of the law as it at present stands ?

Mr. BRODEUR. The statute is somewhat confused, but giving my opinion off hand, I would say that it is not in harmony with the legislation of 1877 and 1890.

Mr. R. L. BORDEN. If I remember correctly, the Territorial government said that they had no appropriation for publishing the ordinances in French, and that it was the duty of the federal government to have them published in that language.

Mr. MONK. It is the fault of this government then ?

Mr. BRODEUR. Not at all ; the local government has the right to levy taxes for revenue.

Mr. R. L. BORDEN. The Territorial government took the ground that the statute did not say that the ordinances should be published by them in the French language.

Mr. BRODEUR. The law says that they shall be published in French as well as in English, and if the Territorial government are bound to publish them in one language they are bound to publish them in the other. As a matter of fact they have not published them in French for many years, and after the legislation of 1892, of their own proprio motu they ceased to publish the ordinances in French because it seemed to be their policy that French should no longer continue to be an official language.

Mr. SCOTT. On the 25th of August, 1898, the government at Regina was interrogated with regard to their failure for some years previously to permit the ordinances in French, and this is a part of the answer given :

> There was no practical necessity for printing the ordinances in French. The returns show no demand for French editions. In the whole of the business of the government there have only been two applications for ordinances or assembly records in French.

Mr. R. L. BORDEN. What is the rest of the answer ?

Mr. SCOTT. That is the only part of the answer I have, but the rest of the answer was as indicated by the leader of the opposition, that if the Dominion authorities thought it was necessary that the ordinances should be printed in French, they should furnish the money.

Mr. BRODEUR. That is a poor argument for Mr. Haultain to use. Any way he never made application to the Dominion government for money for that purpose.

Mr. SCOTT. His main reason was that there was no practical necessity for printing them in French.

Mr. BRODEUR. I am informed by the Prime Minister that Mr. Haultain never made an application for money for that purpose.

Sir WILFRID LAURIER. I do not remember that any was made.

Mr. MONK. Mr. Haultain puts the blame on this government.

Mr. BRODEUR. It was the policy of the Territorial government not to publish these ordinances any longer in French, and they

never applied to this government for money to publish them in that language. As a matter of fact, can the hon. member (Mr. Monk) refer to any one instance for the last twenty years in which French has been used in the pleadings before the courts of the Northwest Territories?

Mr. MONK. My hon. friend (Mr. Bourassa) gave a very good answer to that.

Mr. BRODEUR. A few days ago I corresponded with Mr. Lambert and Mr. Prince, the two French speaking members of the Northwest assembly on this subject, and I sent them the following telegram :

Will you please inform me whether the French language is used in the pleadings before the courts, or if the proceedings, oral or written, are all made in English ?

Mr. Lambert member for St. Albert replied :

French language not used in courts ; proceedings, oral or written, all made in English, requiring the use of interpreters.

Mr. Prince answered :

So far as I know the pleadings before the courts, either oral or written, are all made in English.

Mr. MONK. There are English pleadings in Montreal.

Mr. A. LAVERGNE. And in Quebec too.

Mr. BRODEUR. In Montreal most of the pleadings are in French, but the fact remains that the French language is to-day official in the Northwest Territories and nobody asks for it. My hon. friend (Mr. Monk) is now bringing this question before this parliament. I do not say that his object is to raise another agitation similar to that which has been going on for some time, but I do say that his policy is calculated to be detrimental to the interests of those whom he seeks to protect. The hon. gentleman (Mr. Monk), representing a constituency miles away from the Northwest Territories asks that the people of the Northwest should have the right to use the French language in the proceedings before the courts of the Northwest, when the people of the Northwest have not asked for that themselves. That is not fair to the minority in the Northwest Territories, and it may bring upon them serious results for which the hon. gentleman (Mr. Monk) will be responsible. Everything is now going on there in peace and harmony, and why cause a disturbance? Last night we heard an hon. gentleman from the Northwest Territories state in this House that if the law as proposed did not absolutely protect the rights of the minority, he would vote to make the law clear on that point. I believe that such a noble sentiment will in future guide those who administer the affairs of the Northwest Territories ; that the majority there will see that the interests of the minority are fully protected and that the minority will not have to rely upon politicians who may come from the province of Quebec.

Mr. A. LAVERGNE. My remarks shall be brief on this question, because the legal point of view has been so fully dealt with by the member for Labelle (Mr. Bourassa) by the hon. member for Jacques Cartier (Mr. Monk), by the Solicitor General, by the Minister of Inland Revenue, and by the right hon. Prime Minister that little is left to be said. In the first place I congratulate the Solicitor General on being in the happy position of pulling with the member for East Grey (Mr. Sproule) that the French language should be abolished in the Northwest Territories. I take this opportunity of returning the Solicitor General the compliment which he paid me the other evening.

Mr. SPROULE. My party is growing stronger.

Mr. A. LAVERGNE. To my hon. friend the Solicitor General I will say: Let us take history as it might have been. Suppose that Canada instead of being an English colony to-day had been conquered by the French and was a French colony and that there was an English group in that colony, there is not an English member in this House who would rise to support a motion for the abolition of the English language. To my hon. friend the member for East Grey (Mr. Sproule) I may say this much: that if any man in the province of Quebec would declare that because of the expense of publishing official documents in the two languages, and as there was no practical use for their publication in the English language it should cease, the first men in the province of Quebec to stand up in defiance of such an unjust proposition would be the hon. member for Jacques Cartier (Mr. Monk) and the hon. member for Labelle (Mr. Bourassa) who have been denounced in this House as French demagogues.

I heard the hon. member for Labelle say in Montreal that if the French Canadians were treated with injustice in any part of Canada, that was no reason why we should visit reprisals on our English speaking compatriots in the province of Quebec. We are told that we should be satisfied because there are a considerable number of French Canadians who have public positions in this country. The hon. gentleman who advanced that argument reminded me very much of the Polish king who when he was drunk thought all Poland was drunk too. I do not think it is a soothing balm on the wounds of the French Canadian people to know that some of their number have obtained public positions in this country. What does this fact do for the people who claim their rights? Wha we want are not positions, but the rights that are guaranteed to us by the constitution. I have heard the objection made in private conversation—and I suppose it will be made by

French Canadians who will speak on this question—that I who rise to speak on behalf of the French language in the Northwest am using the English language in this House. Yes, I am using the English language to protect the French language in the Northwest, because I trust more in the broad-mindedness and the spirit of fair-play of the English members of this House than I do in the courage of my French Canadian compatriots. My fellow-countrymen are laughing at that remark. With their actual position how can they dare smile? They have shown the extent of their courage in speaking on behalf of a motion to take away from their brothers in the Northwest the language which they are so proud to speak. We can hear some of these gentlemen speaking and singing loudly on St. Jean Baptiste day. I do not make many speeches or sing much of the glories of the past or the hopes of the future on St. Jean Baptiste day; but I am ready to rise in this House and defend the rights of my fellow-countrymen in the Northwest, even against my own party. I trust that my English speaking fellow members, with that broad-mindedness and that spirit of fair-play which distinguish their race, will be ready as brothers and compatriots to give us justice, even though some French Canadians do not ask for it.

Mr. MONK. My hon. friend the Minister of the Interior seemed to be very much embarrassed as to the interpretation of the amendment which I have presented to the House that even after a lengthy discussion with the leader of the opposition, he seems still not to understand the gist of it. I told my hon. friend that it might be modified. There is no doubt that the sub-amendment presented by the hon. member for Labelle more clearly expresses the full extent of the rights that were granted in 1870 and subsequently consecrated by legislation. If my hon. friend has any doubt as to the meaning of my amendment, he had better vote with me for the sub-amendment of the hon. member for Labelle. I thought my hon. friend would take a larger view of this question, and deal with it on its merits as the right hon. leader of the government did, instead of spending most of his argument in trying to cast obscurity on the amendment as I drafted it. I may say that it is only a repetition of the law as it was drafted in 1890. The Minister of Inland Revenue and the Solicitor General have said again and again—it is their hackneyed defence—that those who bring up the question of this kind do so for the purpose of creating an agitation. Is my hon. friend serious in that? Is it his opinion that we have such a low regard for our duties and our responsibilities as members of this House as to bring up a question of this kind for the mere purpose of laying a foundation for an unfruitful and unhealthy agitation? Is that the opinion he entertains of the hon. member for Labelle? I have known that hon. gentleman since he was a boy, and I can say that his career is of such a nature that no man who is acquainted with him and who knows something of his qualities and his earnestness would dream that underneath the speech he has made here to-day is concealed an intention of going down to the province of Quebec and agitating his compatriots. And has my hon. friend the audacity to state before this committee that I have that intention? My hon. friend knows perfectly well that after the general election of 1896, I stated at a caucus of which a report appeared in the Montreal 'Gazette,' that I would not at any public meeting refer to the school question. Have I ever done so on any one of the many platforms where I appeared? I would look upon it as one of the most culpable acts a a man could be guilty of if, having brought this important question to the notice of this House, as he was in duty bound to do, he should use it afterwards for the sinister purpose of arousing his fellow-countrymen of French origin against the rest of the population. It is my hon. friend who on every occasion has done that miserable work. He did it in the last election in my own county, and no one knows better than he does how he was received on that occasion, and what effect his words had—none. I am a politician; we are all politicians in this House—who will deny it; but we draw the line, those of us who have any sense of their duty, at questions of this kind. I have only done to-day what was incumbent upon me; but does my hon. friend not know me well enough to know that I would not prostitute to such uses the discussion that we have had here to-day? He knows it full well. The right hon. the Prime Minister who, I will do him the justice to say, attacked this question upon its merits—not quibbling, like his colleague, the Minister of Inland Revenue—has contended that we are bound by the British North America Act.

My hon. friend knows very well that in this very statute, under the inspiration of the Minister of Justice, the Minister of Inland Revenue was holding that we are not bound by the British North America Act, and that we are bound by the Act under section 109 to leave to the two new provinces their Crown lands. My hon. friend knows perfectly well where we have departed from that principle. We are taking those lands from those two provinces and saddling Quebec and the older provinces with a useless debt to pay for these lands, and we are doing this in violation of the British North America Act, not illogically since it is contended by the government we are not bound by that Act. When we insert in this Bill a special clause to continue the exemption granted to the Canadian Pacific Railway we are not bound by the British North America Act, we are holding these two new provinces for all time bound by the agree-

ment which we made with the Canadian Pacific Railway. Why cannot we hold those two provinces bound by what the Minister of Justice told us was a contract in respect of schools ? We are protecting by another clause the rights of the Hudson Bay Company. Is that in the British North America Act ? My hon. friend knows perfectly well that we would probably have had no grounds for what we are claiming had it not been for the pronouncement by the government that we are not strictly bound by the British North America Act, and that we can go beyond it. My hon. friend the Solicitor General pronounced yesterday an excommunication against the member for Labelle.

Mr. LEMIEUX. What ?

Mr. MONK. The excommunication which my hon. friend pronounced is similar to those which have been pronounced against us by him during the ten years we have been in politics together in Quebec. You begin by 'yellow-dogging' the doctor, and when you have 'yellow-dogged' the doctor, you turn and say to us in your papers in Quebec that we are pulling with Doctor Sproule. That is an anomaly, and I can tell the hon. member for Labelle (Mr. Bourassa) that it does not prevent a man from feeling very well.

Mr. LEMIEUX. Does my hon. friend pretend that I have written that in 'Le Canada' ?

Mr. MONK. I do not ; but I will say to the Solicitor General that that article shows there is a fate reserved for us in Quebec when we differ from our friends on the other side. We began by hearing all about what I call the 'yellow dogs,' and then we are told : These are the people with whom you are in league. But that will not, I think, go down for all time, and I can tell the committee that there would be no ground for an agitation in my own constituency. My constituency is one which is very evenly divided. I have very many English-speaking electors and many members of the Orange Order, and I am ready, as I have been in the past, to go before these men, who are serious men and whose good opinion I value, and defend before them, as I must do, the attitude I have taken upon this question. I shall say this, that, with the experience I have had in the past with these men, they will understand the argument which has been presented to this committee to-night, and I am perfectly sure that they will ratify what I have done.

Mr. E. LAPOINTE (Kamouraska). (Translation.) Mr. Chairman, let me say a few words in French in answer to the abuse hurled at the representatives of the French Canadians by the hon. member from Montmagny (Mr. Lavergne) and the hon. member from Labelle (Mr. Bourassa). Strange to say, Mr. Chairman, these champions of the French Canadian nationality seem to think it is unworthy of them to use their native tongue when addressing this House ; although it would be only proper to my mind that they should speak French when advocating, as they claim, the official use of that tongue. It would be much better for him, I think, it would be the part of a true patriot, and highly gratifying to the province of Quebec, if the hon. member from Labelle, for instance, spoke French oftener than he does in this House, especially when he undertakes to vindicate the official use of that tongue in the proceedings of the proposed legislatures of the Northwest. The hon. member for Labelle has not as yet such a considerable following as to oblige him to speak English whenever he addresses them or appeals to them. Since he has but one follower, the member for Montmagny, it seems to me he might speak French without running any risk of not being understood. I can well conceive that the head of a great party, comprising English speaking and French speaking gentlemen, should think it necessary to speak English in order to make himself understood by all, and to express the views of that party made up largely of English speaking gentlemen, but surely no such reason exists for the hon. member from Labelle.

Mr. LAVERGNE. (Translation.) Does the hon. member consider that the 'considerableness' of a party is measured by the 'considerableness' of its members ?

Mr. LAPOINTE. (Translation.) I thank the hon. member from Montmagny for his interruption, as it affords me an opportunity of saying that, if the worth of a party was to be judged by the worth of some of its members, one would be tempted to consider the hon. gentleman's party as of very little worth.

I did not intend to speak, Mr, Chairman, but I feel that it is incumbent upon me to protest in my name and in that of my French colleagues in this House, against the insults lavished upon us by the hon. members for Montmagny and Labelle, yesterday and the day before, in the course of this debate, I protest at the same time against the abuse heaped by the member for Beauharnois (Mr. Bergeron) on the French speaking representatives of the province of Quebec. I think it is rather a peculiar way of showing one's patriotism to endeavour to belittle in the eyes of the whole country the French Canadian members in this House, as was done by the hon. member from Labelle, who has thought fit to revile those whom the French Canadians have chosen as their standard bearers in this House. The hon. member for Labelle, who poses as the champion of the rights of our nationality, showed himself a poor type of a patriot when he insulted the French Canadian members in connection with the school question, when he

insulted the right hon. gentleman, who has the confidence of all French Canadians, and whose qualities, whose talents, whose accomplishments and work have contributed in so marked a degree to enhance the prestige and influence of the French Canadian nationality throughout the Dominion.

I think that the appeals to prejudice—I cannot call them by any other name—to which my hon. friends have resorted, will not have much effect. Yesterday, during the debate, when the hon. member for Labelle was abusing—as he has been constantly doing since the opening of the discussion on this Bill—one of the most distinguished members of this House, the hon. Minister of Inland Revenue, I could not help recalling an historial event, and it is this: More than half a century ago, a leader, who proclaimed himself also a great man, and who certainly was such a man admired by the French Canadians of the province of Quebec, induced the people of Lower Canada to take up arms, and brought upon them a disastrous war. But as soon as hostilities had broken out, that great man made haste to take refuge across the border, while the grandfather of the hon. Minister of Inland Revenue was meeting death on the battlefield.

Mr. LEONARD. (Translation.) These insults are from a quarter whence I should not have expected them to come.

Mr. LAPOINTE. (Translation.) What is it?

Mr. LEONARD.)Translation.) I understood, Mr. Chairman, the hon. member for Kamouraska, to state at the outset, that the members from Labelle and Montmagny had unduly reflected on the French Canadian members in this House and the French Canadians generally. However, I notice that the aspersions of the hon. member for Kamouraska, are aimed more particularly at the memory of the man whom these same French Canadian members are fond of exalting very highly at public meetings.

Mr. LAPOINTE. (Translation.) My hon. friend from Laval will be at liberty to go on with his argument by and by, when I am through. It is an historical event which recurred to me, while the hon. member for Labelle was casting abuse on the hon. Minister of Inland Revenue, and I think it was my duty towards the hon. gentleman to. recall these facts. It is an illustration of the fact that men of action and patriotism are not always those who do the most talking. As regards our friends on the other side of the House, it is no wonder that they should be at one with the hon. member for Labelle in urging these claims in such fine fashion. As the hon. Minister of Inland Revenue and the hon. Solicitor General have stated, these are tactics which might be worthy of attention, if they were initiated by some party other than that which is now in such sad plight in the province of Quebec. It is hoped that by this means the Conservative party may recover in some measure the prestige which their objectionable policy has caused them irrevocably to lose in the people's opinion.

That renewal of the war waged against the right hon. gentleman in the province of Quebec, in 1896, will have no more effect than the proceeding. In order to be taken seriously, our Conservative friends, would have to carry out great reforms. In the first place, they would have to sever the ties which bind them to the party led by the hon. member for Carleton (Mr. Borden). They would have to enter their protest once for all against that party which, during the recent elections in Oxford and London, carried on a campaign of insult and abuse against our race and our religion. They would, I say, have to break away from these fanatics, before they can expect to be taken seriously in the province of Quebec. Then again my hon. friend from Beauharnois (Mr. Bergeron) would have to give people time to forget the speech he delivered not long ago, in the course of which he stated that the presence in this country of the Papal Ablegate was an insult to the Canadian hierarchy. I fancy it will be a difficult matter for our Conservative friends to pose in the province of Quebec as the champions of their religion and their nationality.

The hon. member for Jacques Cartier was quite aware that his amendment would not carry. The hon. member for Beauharnois, when he moved his amendment yesterday, stated at the outset that he well knew what its fate would be here, but that he expected better treatment elsewhere. Such is the motive, as stated by the hon. member for Beauharnois, which induces them to take that stand just now; they hope that the electors of the province of Quebec may thereby be made to recognize the worth of our hon. friends, more fully, perhaps, than it is recognized on this side of the House.

The hon. member for Jacques Cartier is well aware that the British North America Act does not guarantee the use of the French language in the Northwest. I notice that my hon. friend from Montmagny is laughing just now. Let him laugh, he does so everlastingly, although he would make us believe that he and the hon. gentleman for Labelle are the only two wise members of the House. I thought the hon. member for Jacques Cartier would resent the scathing references to him contained in the organ of my hon. friend from Labelle. I mean the 'Nationaliste', of Montreal.

Mr. BOURASSA. (Translation.) It matters very little to me what the hon. member may think or say concerning me; however, I would like to state once more that I have nothing to do with the 'Nationaliste.'

Mr. MONK. (Translation.) I am very sorry to hear what the hon. member has just stated.

Mr. LAPOINTE. (Translation.) The 'Nationaliste' heaps insults on hon. gentlemen who do not agree with the hon. member for Labelle.

Mr. BOURASSA. (Translation.) I have already denied under my signature having anything to do with the editorials of the 'Nationaliste,' and I demand that the hon. gentleman take back what he has just said.

Mr. LAPOINTE. (Translation.) I did not state that the hon. member for Labelle had written these editorials; but I know, as everybody does, that the 'Nationaliste' is under the thumb of the member for Labelle. That newspaper is constantly saying that there is only one member of parliament worthy of the name, the member for Labelle. Now, the hon. member for Beauharnois (Mr. Bergeron) and the hon. member for Jacques Cartier (Mr. Monk) will, I presume henceforth be classed along with the member for Labelle, and looked up to by that newspaper as stalwart advocates of the French Canadian cause. The 'Nationaliste' has informed us that the hon. gentleman from Jacques Cartier is straightening up.

Mr. MONK. (Translation.) Will the hon. gentleman be kind enough to send me a copy of that issue of the 'Nationaliste.'

Mr. LAPOINTE. (Translation.) With the utmost pleasure. In moving this amendment, the hon. gentleman from Jacques Cartier may have some other object. He may be intent on breaking away from gentlemen on the other side and joining in with the member for Labelle, as I see that the friends of the hon. gentleman for Jacques Cartier are rather hard on him. For instance, the Hamilton 'Spectator,' a Conservative organ, referring to the rumor that the French Canadian members of the opposition were about to sever their party ties and to join the Liberals, thus expresses itself. Here are the very words it uses:

> But if it should be that the Quebec French Conservatives are actually thinking of going over to the Liberal party, bag and baggage, then we say that they cannot do it too soon for the good of the Conservative party and of the Dominion of Canada.

That may be the reason which induces the hon. member for Jacques Cartier to break away from the Conservative party; although he prefers joining the hon. member for Labelle, rather than becoming a follower of the right hon. leader of the government, whom the friends of the member for Jacques Cartier have always pointed out to as a man unworthy of the confidence of the people, as a traitor to his race and to his religion. However, if the member for Jacques Cartier falls in with his colleague from Labelle, let him make up his mind to be ever ready to pardon insults, as the hon. gentleman from Labelle unhesitatingly terms a traitor and a coward whoever differs from his views. I think the hon. gentlemen on the other side will have to be firmly determined, if they wish to get along with the member for Labelle, as he will, no doubt, make life miserable for them.

In rising to address the House, I was anxious to state that the hon. members who follow the leadership of the right hon. Prime Minister, rather than that of the hon. member for Labelle are not and do not play the part of cowards, as that hon. gentleman has thought fit to assume. I do not think that our fellow-citizens in the province of Quebec will look upon as traitors and cowards those members who think that the light shed by the hon. member for Labelle is in no way brighter than that shed by the right hon. leader of the government. I make no special reference to the lights of the hon. member for Montmagny, as he puts his whole confidence in the member for Labelle and is guided solely by that luminary. In a matter of this kind, I think it is a greater evidence of courage to vote against the amendment, than to follow the lead of the members for Labelle and Montmagny; for Conservative organs, such as the 'Evenement,' will not fail to brand us as cowards, renegades, &c. If, on the contrary, we supported the member for Labelle, the 'Nationaliste' would be flying its colours in our honour Sunday next. In voting against that motion, we are in danger of being struck down by the thunderbolts of the tory party hurled by its public men and newspapers with the help of the members for Labelle and Montmagny, as well as of the 'Nationaliste.'

In going over the 'Hansard' for 1890, when that question was discussed in this House, I noticed a speech delivered by the late Sir Wm. Edgar, who came to be later on Speaker of this House, and who was known as one of the great friends of the French Canadian. That speech was a vindication of our rights. It was an eloquent appeal in our favour, and wound up with the following words, which should be a lesson to our hon. friends:

> I shall also take the liberty of counselling them not to ask for anything unreasonable, or for anything which will give their enemies an excuse for open and continued hostility towards them.

I think the above words uttered by that great friend of our race should have caused the hon. member for Jacques Cartier to reflect before introducing his motion. I think it is a very unwise policy on the part of the French Canadian to ask for privileges which it is not possible to grant, which are not guaranteed by the constitution, which could not be given effect to and which it is not reasonable to expect.

Mr. LEONARD. (Translation.) Why?

Mr. LAPOINTE. (Translation.) For all the reasons which have been given here to-night and which my hon. friend from Laval would have grasped no doubt had he been present.

Mr. LEONARD. (Translation.) I have been here all the time.

Mr. LAPOINTE. (Translation). I do not deem it necessary to speak at greater length. I must thank my hon. friend from Montmagny for the highly complimentary certificate which he has given to his colleagues in this House. If I had any desire of being ironical towards him, I might suggest that a good many of those who he brands as cowards are the very people who helped most to bring about his election in Montmagny.

Mr. BERGERON. (Translation). Mr. Chairman, it is not my intention to reply to the hon. member for Kamouraska, beyond saying that to-morrow the government newspapers in the province of Quebec will proclaim that he delivered this evening the finest, the greatest and the most eloquent of speeches.

Mr. GLADU. (Yamaska.) (Translation.) Mr. Chairman, following the example of the hon. member for Kamouraska (Mr. Lapointe) I wish to give my reasons for voting against the motion introduced by the hon. member for Jacques Cartier.

I must first draw attention to the fact that the hon. member for Jacques Cartier who has constituted himself the champion of the rights of the French language is the same hon. gentleman who, ten years ago, in this House moved the abolition of that same French language.

Mr. MONK. (Translation.) I deny it emphatically.

Mr. GLADU. (Translation.) I think I am in a position to prove what I say. If, Mr. Chairman, you will refer to the 'Hansard' for the second session of 1896, at page 2214, you will find that a proposal was made to cut down certain expenditure; and that the hon. member for Jacques Cartier expressed himself as follows :

> Mr. MONK. There is an item of nearly $2,000 here for the translation of statistics into French. I do not deny that that may be necessary, but it seems to me that in future some scheme might be devised by which that expense should be avoided. The statistics are perfectly well understood in English, just as well as in French by the members in the province of Quebec, and it seems to me that something might be done—say if it were placed in the hands of a committee of French members to prevent this expenditure. Most of the expressions used in our province with reference to the statistics are English expressions, and this would consequently appear to be an absolute waste of money.

Mr. MONK. (Translation.) Does not the hon. member think that $2,000 is rather excessive expenditure for that amount of work ?

Mr. GLADU. (Translation.) In my turn I shall ask the hon. member for Jacques Cartier whether, when he decided to introduce the motion which is now before the House, he had in mind the one he moved in 1896 ? He contends that the amount was excessive, but if that was truly the motive which urged the hon. gentleman to act on that occasion, I may be allowed to inquire whether he might not have attained his object otherwise than by asking as he did that the French translation be done away with. That is direct evidence that the motion introduced by the hon. gentleman is not the outcome of a desire to promote the French language, but has an entirely different object. We all know in the province of Quebec that the hon. member for Jacques Cartier is a most distinguished jurist, an eminent lawyer, a highly considered professor of Laval University ; and it is that hon. gentleman who now brings in a proposal which, as he himself stated a moment ago, is absolutely without any meaning. In fact, what does the hon. member ask for? He is quite willing that provision be made for the official use of both English and French, in the new Western provinces ; but he wishes, at the same time, that this right be a matter left to the free will of the legislatures of the new provinces, whose members will be at liberty to do away with it whenever they think fit. If the hon. gentleman had been in earnest, he would have struck out the latter part of his motion, in the way suggested a moment ago by the hon. member for Labelle.

Now, Mr. Chairman, why did the hon. member add that second part to his motion? For a very simple reason. I do not wish to be unfair or to unduly impute motives, but at the same time we should endeavour to find out the true motive of his action. Why has the hon. member added to his motion the last clause whereby he asks that this right be dependent on the consent of the legislature ? It is in order that, in the province of Quebec, the hon. gentleman and his friends may be in a position to say: we have asked that in the Territories, provision be made for the use of the French language. And these gentlemen will also be free to add : the Liberal members from the province of Quebec have voted against that motion. On the other hand, the latter part of the motion meets the requirements of the province of Ontario. Then these gentlemen may state to their friends in Ontario : True, we made such a proposal, but it had no meaning since its carrying out was left entirely in the hands of the legislature.

Mr. MONK. (Translation.) I see that my hon. friend intends supporting the amendment moved by the member for Labelle.

Mr. GLADU. (Translation.) The hon. gentleman may rest assured that I intend decidedly to vote against that motion. Now, the hon. member for Jacques Cartier flushed with indignation, a few moments ago, in defending the position taken by the hon. member for Labelle. He was recalling, in no smooth terms, what the Solicitor General had said last night—'You are pulling with Dr. Sproule.'

The Solicitor General may have used this expression, and it is hard to make it a crime for him to have used it, but I dare say it may not be so hard to prove that he was perfectly right. There is a way to pull together in two different directions, and if it should be true that extremes meet, then I think I am fairly justified in stating that the hon. member for Labelle (Mr. Bourassa) and the hon. member for East Grey (Dr. Sproule) are hugging each other pretty closely at times. Coming again to the hon. members for Labelle and Beauharnois, I think it incumbent upon me to take up, as was done a moment ago by the hon. member for Kamouraska, the unwarranted insult hurled at the French-speaking members in this House, when we were charged by them with being cowards and poltroons. He who refuses to perform his duty is undoubtedly a coward and a poltroon, but he also is a coward and a poltroon who does not perform his duty the way he should. To charge the French-speaking members on this side of the House with being cowards and poltroons as did the hon. member for Labelle last night, I think I can fairly be allowed to retort, with all due deference to the chair, that the expression cowardice does not apply to those it was aimed at, but rather to those who uttered it. Why insult the Prime Minister? Can any occasion be pointed out when the right hon. the leader of the government has shown himself to be unworthy of his countrymen? I challenge the hon. member for Labelle to point out to a single action, a mere fact, any circumstance whatever in his lifetime which justifies the insult? I do not know that the Prime Minister was in any way unworthy of his countrymen when in England, where he held out so successfully against Mr. Chamberlain, the most powerful man in Great Britain at that time, and where he the Prime Minister of a British colony, was putting his political career at stake by resisting so vigorously such a mighty statesman. Would this be one of the occasions in which he displayed his lack of courage? I do not believe either that the Hon. Minister of Inland Revenue (Mr. Brodeur) deserved to be called a coward by the hon. member for Labelle. Was he acting the part of a coward when he stood firm against one of the most gigantic trusts that ever operated in this country, in order to put a stop to the shameful dealings that had been going on for some years? Surely not.

I meant to make these few remarks on the motion put by the hon. member for Jacques Cartier, for the purpose of explaining the vote that I am about to give.

Mr. MILLER. I hesitate to take up the time of the House at this late hour, but I shall detain you only for a few moments. I would not speak at all were it not that our good humoured good natured and able friend the member for Montmagny (Mr. A. Lavergne) said he would make his appeal largely to the English-speaking members of this House, of whom he said he thought they were perhaps broader-minded than some of his own compatriots. I do claim to be broad-minded; I would rather deserve the reputation of being broad-minded than almost anything else a man can have a reputation for, and, as a broad-minded Canadian, as a broad-minded member of this House, I shall reply to the invitation of my hon. friend in a few words. Before coming to this House I had but a limited knowledge of the French Canadian people, not having had many opportunities to come personally in contact with them. I came here without any prejudice whatever against my French Canadian fellow citizens, either because of their language or because of their religion ; but since coming here, I can say that my greater knowledge of them has certainly not led me to esteem them less highly or appreciate less their value as fellow citizens of this great Dominion. I think we will all admit that the French is a beautiful language. Our sons and daughters are studying that language, and deem their education quite incomplete without a knowledge of it. We, Sir, who are ignorant of the language, who have not been sufficiently able or have not had sufficient opportunity to acquire a knowledge of it, deeply regret our ignorance; but as our children are studying today and acquiring a knowledge of the French language because of its beauty and its place in literature, so are the children of our French Canadian citizens studying and learning the English language because of its utility. They are learning the English language because it is fast becoming the commercial language of the world; because it is the language of the people of Great Britain from whom we buy so largely and to whom we sell so largely; because it is the language of the great American republic to the south of us with whom we so largely deal; and because the English language is the language of the larger portion by far of the people of this Dominion, it seems to me it goes without saying that if in the new provinces there is to be but one official language, it ought to be the English as a matter of convenience and utility. I object to implanting in the new provinces any second language, not because it is French, but because it is a second language, and because only one, it seems to me, is required.

In the first place, I would object to the establishing officially of the French language

in the new provinces because of the additional expense. It would involve the additional expense of printing and the greater expense of translation. That, however, would be the smaller reason. The greater reason I would have for objecting to an official recognition of the French language in the new provinces would be the inconvenience attending its use. If for instance a French Canadian member should address this House in French, the greater number of us would fail to understand what he said. We would know that he was speaking eloquently by his manner of speaking, by the manner in which he appeals to the other members who understand him; but to us this language is a blank, whereas we might, perhaps, if we understood his speech, be considerably influenced by his argument. But when a member speaks in French, which the great majority of us do not understand, he fails to have any influence on the greater part of the House, and his speech loses a great part of its power and effect. I am surprised that our French colleagues, should insist, any of them, upon the use of the French language as an official language in the new provinces. It seems to me entirely unnecessary that it should be so recognized. When a French Canadian member, who would naturally speak French, gets up to address this House, he does not require to use any other language than the English to convey his ideas and make his meaning clear. We cannot but admire those hon. gentlemen, whose mother tongue is the French, but who address the House in English. They put the English speaking members to shame by the eloquence and ability with which they express themselves. The right hon. the First Minister, the hon. the Minister of Inland Revenue, the hon. the Solicitor General, and the very eloquent and able member for Labelle (Mr. Bourassa) on that side of the House, and upon this side of the House the hon. member for Jacques Cartier (Mr. Monk) and the other French Canadian members, almost without exception surpass in eloquence and ability, while speaking in the English language, the English speaking members. And it would be cruel on their part to seek to use any language by which they would excel any more than they now do those of us who speak the English language. I can easily understand how it would appeal to every worthy sentiment of the French people that their language should be recognized as an official one. So it would appeal in like manner to the Germans that their language should be similarly recognized. We have many Germans in this country, they are pouring into the western provinces in very large numbers, they are as good citizens as we have in Canada, just as industrious, loyal and economical and as enterprising and as clever as the citizens of French or British origin; and just as it would appeal to the sentiments of the French Canadians that we should use officially the French language, would the official use of the German tongue appeal to the Germans. But we do not appeal to the sentiments of Englishmen in using the English language. If we are in the same manner and to the same extent to reach the heart and appeal to the sentiment of what we may term the British Canadian, we will use, not the English language, but for one section the Gaelic, the language of the forefathers of the Highland Scotch. For another section, we would use the ancient Erse, and for another the language of Wales. But we do not do that. No one asks us to do that, and I say that the English language is a peculiar one. The English of to-day is a language of recent growth and construction—I might almost say of recent manufacture. It bears scarcely any resemblance to the old English of a few centuries ago. It is a composite language, drawn from many sources, contributed to largely by the French, and made richer, fuller and more expressive by that which is contributed to it from the beautiful language of the land across the channel. I say that the English language of to-day is a composite and a commercial language, and we do not appeal to the sentiment of the English people when we use it. There never was a day in the history of Canada when the French language was being studied by so large a number of the children of the British Canadian people as the present, and the use, the study, the knowledge of the French language will not be increased to any degree, it seems to me, by its official recognition in the two new provinces or be discouraged by the refusal to so recognize it. My hon. friend from Labelle has said that some people may make some unpleasant reference to the fact that the British conquered Canada in recent years. I have never heard any one make any such reference; but should any such reference be made, it could be easily replied that away back in the eleventh century French soldiers crossed the channel and conquered Britain; and I believe that the conquest in 1066 the infusion of French blood into British veins, consequent upon that French invasion, has made the people of the British islands a better people than they would be without it. And I believe that the time will come, in a more or less distant future, when we will have a better Canadian people because we have sprung, not alone from the British stock, but from the British and French and the German as well, and we shall see Canada prosperous and great, not because we have perpetuated differences of race or creeds or the jealousies which accompany such differences, but because, while not forgetting the traditions of France, or the glories of Scotland, or England, or Ireland, Wales or Germany, and the traditions of our ancestors from whatever land we have come, we realize that we are first of all Can-

adians and a united people, and that we all unite in our endeavours to make our country what it is destined to become. I heard my hon. friend from Labelle express the desire that there should be in the new provinces an Anglo-French alliance. Sir, I do not like that term as applied to Canada. An Anglo-French or an Anglo-German alliance may be all right in Europe, but I do not like to hear of it in Canada. When we speak of an Anglo-French alliance, it seems to me we speak of an agreement between two separate parties, and when we speak of such an agreement, we speak of something which may be entirely cancelled and made void. What I desire to see here is, not an Anglo-French or Anglo-German alliance, but a union of the several peoples who make up our population—a union that will be indissoluble, eternal and everlasting as the mountains and prairies of the new provinces themselves.

Amendment to amendment (Mr. Bourassa) negatived: Yeas, 5; nays, 60.

On the amendment:

Mr. R. L. BORDEN. Before the amendment is put I would like to say two or three words. I have not been in favour of the sub-amendment that has just been disposed of for the same reason on account of which I am opposed to clause 16. But I am bound to say that if I could have supported clause 16 for the reasons which have been advanced by hon. gentlemen on the treasury benches, I would have been obliged to support this amendment; because I think the reasons in the one case are as conclusive as in the other. The right hon. gentleman last evening when he went beyond any argument yet given, accepted the amendment of the hon. member for Saskatchewan (Mr. Lamont) because it continued a condition which now exists in the Territories, and which has been found satisfactory for a great many years. I will not trouble the House with quoting his words, that is the effect of them. Those are exactly the reasons that have been put forward by my hon. friend from Jacques Cartier (Mr. Monk) and my hon. friend from Labelle (Mr. Bourassa). The only distinction between the two cases is the one put forward by the Prime Minister, and I think also by the Minister of Inland Revenue, which is, that the use of the French language in the courts of the Northwest Territories exists to-day, and has existed under sections 101 and 133 of the British North America Act. I do not think that the courts of the Northwest Territories were established under section 101 of the British North America Act, and therefore in my opinion that argument falls to the ground. I will not elaborate that now, I may do so afterwards if it is necessary; that is my opinion, for which I am prepared to give good and sufficient reasons. My main object in rising was to say that I think the Prime Minister, in his remarks this evening, has justified those who have argued in this House, and who have been much criticised for so arguing, that there was no compact by reason of which we should interfere with the control of the new provinces in respect of separate schools. The right hon. gentleman, to whose remarks in that regard I listened with a great deal of attention, made it abundantly clear that the policy of the government with regard to schools did not depend upon any compact. His language was absolutely explicit so far as that is concerned. It is true that a directly opposite view has been expressed many times on the other side of the House. I need only refer to the argument of my hon. friend the Minister of Justice in that regard, which is to be found in his speech of the 3rd of May, where he refers to what he calls a parliamentary compact made with the people of the Northwest.

Mr. FITZPATRICK. A parliamentary compact under the Act of 1875, quoting the words of the Privy Council.

Mr. R. L. BORDEN. Exactly, the hon. gentleman is absolutely accurate in that regard, quoting, as I understand him, the language is one of the courts in that connection. It is made clear by the language of the Prime Minister that it is a parliamentary compact alone which is relied on. My right hon. friend does not depend upon the argument of the Minister of Inland Revenue; he agrees exactly with his Solicitor General who declares that the so-called compact of 1870 did not extend to the people of the Northwest Territories; it is therefore a parliamentary compact, a compact made in 1875 by the enactment of a statute. The argument based on that, as I understand it, is that although the legislation was temporary in its character, only to prevail while these Territories were to be governed as Territories, nevertheless there was a representation held out to the people who should go into them and that parliament is bound now to make good that representation. For reasons which I will not repeat, I have not been able to agree with that view. But I cannot distinguish between a parliamentary compact created by the Act of 1875 and a parliamentary compact created by the Act of 1877. That is the view I would take if I adopted the argument of hon. gentlemen opposite. If the Act of 1875 constituted a compact which we are obliged to carry out, why does not the Act of 1875 constitute also a compact which we are obliged to carry out? I have not been able to concur in the view that there is a compact; I have regarded both these matters as subjects proper to be dealt with by the people of the new provinces. My position with regard to the one is my position with regard to the other. Further

than that, if we are to regard the existence of a compact as having been proved, it would seem to me that it was a compact the performance of which we might safely entrust to the people of the new provinces; because, under our system of government, where part of the jurisdiction is vested in parliament and part is vested in the legislature of a province, we must have regard to the expectation that good faith will be observed, and that if a compact has been made it will be carried out by the proper authority having jurisdiction in that regard. For this reason I have not been able to support the amendment; and for a similar reason which I have elaborated at greater length on previous occasions, I was not able to support the proposition of the government with regard to schools.

So far as the use of the French language in this country is concerned, we are absolutely bound to observe the obligations which have been created by treaty and by the constitution. If any remarks which have been made to-day would look in an opposite direction—I do not know whether they were so intended—I would absolutely dissent from them.

I agree with what has been said by my hon. friend from South Grey (Mr. Miller) as to the value which we ought to attach to the French language in this country and the respect which we should pay to it. I have endeavoured, not so much by precept, but a little by example to manifest my belief in the principles which my hon. friend has voiced to-night and I am free to say to-night, as I have said on other occasions, that I think that perhaps it would be much more to the credit of the English speaking people of this country if they would teach their children the French language which is the mother tongue of more than 2,000,000. An hon. gentleman on the other side of the House referred the other evening to the circumstance that every educated Englishman who comes to this country is able to speak to our French Canadian friends in their own language, and that very circumstance which I have noticed over and over again has made me a little ashamed more than once because I have not been able to do this to my own satisfaction, or to the same extent. However, that is to a certain extent beside the question. We are dealing with the question of the enactment of a statute. I again repeat that the attitude which the government has taken in this connection to-night is a very ample justification for those of us who have taken a certain attitude in the past, and that the very strong criticism which has been used in regard to myself in some parts of the country is very much disarmed by what has been said this afternoon by my hon. friends sitting on the treasury benches.

Sir WILFRID LAURIER. I have just a word to say in answer to my hon. friend as to the position which I have taken all along on this question. Not later than two days ago my hon. friend asked me, across the floor of the House, whether I rested my contention with regard to the schools upon anything else than section 93 of the British North America Act, and I answered my hon. friend at once that I rested my contention upon that and that alone. That has been my contention from the first and it is my contention yet. After four months I do not want to continue the discussion and with this remark I close that part of the debate. I have only one observation to offer to my hon. friend in regard to the courts of the Northwest Territories. I stated that in my judgment the reason why the use of the French language was continued in the courts in 1880 when the matter came before the House was that the courts in the Northwest Territories were not provincial courts but were directly under the jurisdiction of this parliament. I understand my hon. friend to controvert this point. I have no better authority to offer him at this moment than that of Sir John Thompson who was the author of the amendment which was adopted on that occasion and who, in 1890, as reported in 'Hansard' page 879 of that year, used the following words:

> When we undertake to say that we shall expunge from the statute book a provision that justice shall be administered or may be administered in either of the two languages used in the Northwest Territories, we are touching a subject far more important than the mere language of debate, and the mere language of the publication of the journals of a legislative body. These, sir are our courts; these are the courts of the Dominion of Canada. In respect to the provinces, power is given to the provincial legislatures, by the British North America Act, to establish the courts, and to regulate their organization, their maintenance, and the extent of their jurisdiction. That power, which rests on them, as regards the provincial courts, rests directly on this parliament as regards the courts of the Northwest Territories. We have imposed upon us the duty, not only of creating those courts, but of breathing into them the breath of life by giving them the jurisdiction they exercise and the procedure by which that jurisdiction is to be carried on.

Mr. R. L. BORDEN. There is not one word with which I do not agree, but the point is whether or not the power under which we created these courts is to be found in section 101 of the British North America Act, 1867, or in the British North America Act, 1871. I do not find anything in the language of Sir John Thompson which is in any way inconsistent with the view I have just now expressed that the courts referred to in section 101 are not temporary courts of the Territories, created for a temporary purpose, but that, they are courts of an entirely different character, such as the Supreme Court and the Exche-

quer Court. That is my humble opinion and I do not think there is anything in the language of Sir John Thompson which in any way is inconsistent with that. If I am right in that opinion, which I venture with all deference to submit, then, the argument which has been made by my right hon. friend and by the hon. Minister of Inland Revenue would entirely disappear. I think we created courts in the Territories under the power which was given to us by the British North America Act, 1871.

Mr. FITZPATRICK. I think there is a very distinct line of cleavage between the educational privilege in the British North America Act and the question of language; in fact, with all due deference to my hon. friend, I cannot find any comparison between the two. The British North America Act provides in special sections for the distribution of legislative power. Section 93 of the British North America Act makes special provision for a code in respect to education applicable to all the provinces of the Dominion without any exception whatever. The effect of our legislation is to apply that code to the new provinces. There is also a provision in respect to language. Section 91 provides for the question of language. Section 91 provides that the provinces shall deal exclusively with property and civil rights which never include language and for the organization of the courts. So much is that the case, that it was found necessary to have a special provision to create an exception as far as the province of Quebec is concerned. That exception is created for one province, and that is the only province which enjoys this privilege with respect to language. That is the situation under the British North America Act. I state it briefly and imperfectly, simply because I intend, on the third reading, of this I now give notice, to discuss this question at that time, which I think is the proper time to discuss a matter of this importance.

Mr. R. L. BORDEN. Just one word, so that when my hon. friend does discuss it he may understand what my position is. If the attitude of the government is based absolutely on section 93, without any changes on account of the supposed compact of 1875, I am with them. I have said that before; but that does not seem to be the attitude of the government. We may perhaps be at cross purposes about that; I do not know; but that does not seem to be the position of the government, because they have introduced changes in section 93 depending, as I understand it, upon the supposed legislative compact contained in the Act of 1875. If there is a legislative compact in the Act of 1875, it does seem to me that there is also a legislative compact in the Act of 1877. Have we the power to implement that?

Mr. FITZPATRICK. Undoubtedly we have the power to deal with the British North America Act in so far as these provinces are concerned.

Mr. R. L. BORDEN. That is what I understand to be the attitude of the government.

Mr. FITZPATRICK. Always bearing in mind the character of the provinces.

Mr. R. L. BORDEN. We have the power, as I understand the position of the government, with which I do not agree, to take away from the new provinces any of the legislative jurisdiction which was conferred upon the original provinces by section 92, and therefore as members of the government we can deprive the provinces of their power to legislate respecting property and civil rights. Therefore, there seems to be no constitutional difficulty in the way from the standpoint of the government. But it is too late to enter into any further discussion. If the hon. Minister of Justice proposes to speak on the third reading of the Bill, it will be better to deal with it then.

Mr. FITZPATRICK. The position the government take is a perfectly logical one. We argue that we can depart from the provisions of the British North America Act but without constitutionally destroying the province in so far as it should have those attributes which are essential to its provincial existence, but we depart in several instances from the provisions of the British North America Act, if we do depart in respect to education we also depart in respect to the tenure of land, in respect to provincial and municipal taxation in so far as the Canadian Pacific Railway are concerned and also in respect to the Hudson Bay privilege. My hon. friend will agree with us that if we can depart for the Canadian Pacific Railway, and we can depart for the Hudson Bay Company, we can with respect to education.

Mr. R. L. BORDEN. I do not.

Mr. FITZPATRICK. That is the logical result.

Mr. R. L. BORDEN. Not at all. So far as lands are concerned my position is simple. Section 109 simply provides that all lands, mines, minerals and royalties belonging to the several provinces shall continue to belong to them.

Mr. FITZPATRICK. That is not the interpretation.

Mr. R. L. BORDEN. If the Minister of Justice considers that section, he will see it does not deal with legislative jurisdiction, but with proprietary rights. Section 92 gives to the provinces power to deal with their lands, but whether they own the lands or not depends not upon the question of legislative jurisdiction but upon the terms and conditions mentioned in section 146 of the British North America Act. The terms and

conditions mentioned in that Act can be varied indefinitely, but the legislative jurisdiction cannot be varied at all, in my humble opinion. I have not the good fortune to have the support of the Minister of Justice in that view, but nevertheless it is my view. So far as the Canadian Pacific Railway, and the Hudson Bay rights are concerned, I have already expressed the opinion that the sections which have been adopted probably do not go further than to give the provinces notice of the agreements into which we have entered, and as to which they are bound just as much as we are. I repeat that there is nothing in these agreements which takes away the legislative jurisdiction of this parliament. It would be a monstrous thing for us to legislate them out of existence, but we would have the legislative power to do so, and when we impose what are supposed to be restrictions on the provinces in that respect, in my opinion we are doing nothing more than giving them notice that these bargains have been made; and that the Crown is bound by them and that the legislatures of the province are not to deal with these matters except consistently with these contracts into which the Crown has so entered. Technically the bargain is between the Crown and these companies, but the Crown expects that the legislature will observe the contract.

Mr. FITZPATRICK. It is a fact that there is a legislative restriction on their powers, and in effect it is the same thing. Now, Mr. Chairman, I must confess that I have grown old enough to be thoroughly convinced of the saying, that if speech is silver silence is golden. I must admit that my faith in that saying has been increased to some extent by what has occurred to-night. A great many things have been said to-night that might have been very well left unsaid. I did not intend to take any part in this debate, but I learned for the first time in my experience to-night that, with respect to this legislation, if we did not adopt this amendment we were going to abolish the French language in the Northwest Territories. It is undoubtedly a case of live and learn.

Mr. MONK. Did I say that?

Mr. FITZPATRICK. No; my hon. friend would not be responsible for anything of that sort; nobody would imagine it possible he would be responsible. We were also told that we were taking away a constitutional right. I would like to know whether there is a lawyer in this House who has any regard for his reputation who would be responsible for such a statement as that. We are continuing all the conditions existing at the present time; we are perpetuating the rights, whatever they may be, in the Northwest Territories with respect to language, leaving it to the legislature to determine hereafter to what extent these rights may be maintained. That is what we are doing; we are not taking away anything.

Amendment (Mr. Monk) negatived.

For the amendment, 6; against the amendment, 69.

Section 2 of the Bill agreed to.

Mr. FITZPATRICK. In view of the amendment to the Irrigation Act to be introduced by the Minister of the Interior, I move that section 20 be amended so as to read:

The Crown lands, mines and minerals and royalties incident thereto and the interest of the Crown in the Northwest Territories in the waters within the province under the Northwest Irrigation Act, &c.

Amendment agreed to.

Section, as amended, agreed to.

On section 24—commencement of the Act.

Mr. FITZPATRICK moved to strike out the word 'July' and substitute therefor the word 'October.'

Mr. LAKE. That would bring the elections into the middle of the winter, as I understand they must be held within six months from the 1st of October.

Sir WILFRID LAURIER. It is suggested that it will be preferable to make the date the 1st of September instead of the 1st of October, and if it is agreeable, we will make that change.

Amendment agreed to, and section as amended agreed to.

On the preamble.

Mr. FITZPATRICK. The only question that remains is the preamble, and I would suggest that the hon. member for Hamilton bring his proposed amendment to the preamble on the third reading.

Preamble agreed to on division.

Sir WILFRID LAURIER. I would call the attention of the members from the Northwest Territories to a letter which was addressed to me some time ago from Lloydminster, in these terms:

We understand that it is intended to make the fourth meridian the divisional line between the proposed new provinces of Saskatchewan and Alberta.

While we believe that the fouth meridian is in many ways a suitable divisional line, we beg to point out, that it will be detrimental to the interests of this town and surrounding district to be so divided, as to be partly in one province and partly in the other.

As the site of Lloydminster occupies section 2, township 50, range 28, fractional section 3, township 50, range 28, west of the third meridian, and the northeast and the southeast quarters of section 1, township 50, range 1, west of the fourth meridian, the proposed line will cut the town in two. We beg to submit for your

consideration the accompanying plan whereon is indicated what we believe will be the more desirable arrangement in the interests of both the town of Lloydminster and the surrounding district.

You will note that while retaining the fourth meridian as the boundary line as far north as the Battle river the line is then deflected to the east and follows the course of the Battle river as far as the division line between ranges 23 and 24, and thence proceeds north along the said line to the Saskatchewan river and follows the course of the latter, westerly back to the fourth meridian. The divisional line between ranges 23 and 24 from the Battle to the Saskatchewan rivers passes through a sparsely settled and low lying country where there are no villages, and the suggested arrangement would not, we believe, be detrimental in any way.

This arrangement will place the whole of the so called British colony in the same province as Lloydminster, which is very desirable in the interests of the whole district.

We respectfully beg that this matter will receive your earnest consideration.

If the town of Lloydminster were fully settled, I think there would be a good deal to be said in favour of deflecting the line; but I understand that it is in its infancy as yet and that there are only a few houses on one side of the line, while all the other are on the other side; and to deflect the line would make it unshapely and inconvenient generally. Therefore, having consulted several gentlemen, I have not heard any reason favourable to the view put forth in this letter. The government would be glad to grant the wish of the settlers if there were not the inconveniences to which I have called attention.

Mr. R. L. BORDEN. That is one matter with respect to which parliament can act afterwards with the consent of both legislatures—the boundaries of the two provinces.

Mr. FITZPATRICK. What shall we say as to the third reading?

Sir WILFRID LAURIER. Can we not take up the Saskatchewan Bill to-day and insert the same clauses and the same amendments? It will be the work of only half an hour.

Mr. R. L. BORDEN. Perhaps we had better let it stand until Monday. I would like to consider what amendments, if any, will have to be moved to that Bill to make our position clear. I am not referring to discussion; I am referring to formal amendments; because it is idle to repeat discussions. The schedule, however, I have no doubt will have to be discussed unless we come to an arrangement in committee. When do you propose to take the third reading of this Bill?

Mr. FITZPATRICK. When will suit the convenience of hon. gentlemen opposite?

Mr. R. L. BORDEN. So far as I am concerned, I think it would be agreeable to take it on Tuesday.

Sir WILFRID LAURIER.

Mr. FITZPATRICK. Then, if it is agreeable to the hon. leader of the opposition, we might on Monday take up the Saskatchewan Bill and adopt the same amendments that we have made in this Bill. I have two or three other Bills ancillary to this which we might take up on Monday. Then, on Tuesday we would be ready to dispose of the whole legislation with respect to the new provinces.

Mr. R. L. BORDEN. I do not know that we shall be able to get through with it all on Tuesday. I understand that what you propose to do with the Saskatchewan Bill on Monday is to deal with in in committee?

Mr. FITZPATRICK. That is all.

Bill reported, as amended, amendments read the first and the second time, and agreed to.

On motion of Sir Wilfrid Laurier, House adjourned at 12.15 A.M. Saturday.

HOUSE OF COMMONS.

MONDAY, July 3, 1905.

The SPEAKER took the Chair at Three o'clock.

PREVENTION OF TUBERCULOSIS.

Mr. G. H. PERLEY. Some time ago a resolution was unanimously passed by this House declaring that some active steps should be taken to lessen the great mortality caused by tuberculosis. With the consent of the House I would like to move, seconded by Mr. Black:

That a special committee composed of Messrs. Barr, Béland, Black, Cash, Chisholm, Daniel, Dugas, Gordon, Hughes (Prince Edward Island), Johnston (Lambton), Laurence, Loggie, Miller, Paquet, Parmelee, Roche (Marquette), Schaffner, Schell (Oxford), Smith (Nanaimo), Thompson and the mover, be appointed to act as members, on the part of this House, of a joint committee of both Houses, for the purpose of considering what further steps should be taken and what suggestions can be made, in the direction of the suppression of tuberculosis in Canada, with power to send for persons, papers and records, and to report from time to time; and that that part of rule 83 which limits the number of members to serve on such committee be suspended.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister). This motion is somewhat irregular, in that no notice has been given. But the Senate has already taken action in this matter, and this is simply a proposal to join in that action. And, as no interest can suffer through want of notice, I suppose there is no objection to the adoption of the resolution.

Motion agreed to.

Mr. PERLEY moved :

That a message be sent to the Senate requesting their honours to unite with this House in the formation of a joint committee of both Houses for the purpose of considering what further steps should be taken, and what suggestions can be made in the direction of the suppression of tuberculosis in Canada, with power to send for persons papers and records, and to report from time to time, and informing them that Messrs. Barr, Béland, Black, Cash, Chisholm, Daniel, Dugas, Gordon, Hughes (Prince Edward Island), Johnston (Lambton), Lawrence, Loggie, Miller, Paquet, Parmelee, Roche (Marquette), Schaffner, Schell (Oxford), Smith (Nanaimo), Thompson and the mover, will act on behalf of the House of Commons as members of said joint committee, should the Senate agree to its creation.

Motion agreed to.

PRIVATE BILLS.

VANCOUVER, VICTORIA AND EASTERN RAILWAY AND NAVIGATION COMPANY.

House again in committee on Bill (No. 139) respecting the Vancouver, Victoria and Eastern Railway and Navigation Company. —Mr. Duncan Ross.

Mr. BARKER. I understood there was an arrangement between the leader of the opposition (Mr. R. L. Borden) and the leader of the House (Sir Wilfrid Laurier) that this Bill was not to go on to-day.

Sir WILFRID LAURIER. That is an error ; I never heard of it.

Mr. BARKER. The hon. member for North Toronto (Mr. Foster) is absent, and he has an amendment which he desires to move. I understood that the Bill was to stand over.

Sir WILFRID LAURIER. I know that the hon. member for North Toronto (Mr. Foster) has given notice of an amendment. But my hon. friend (Mr. Barker) states that he understands that an arrangement has been made between the leader of the opposition and myself with regard to the Bill. There is no such arrangement. The leader of the opposition never mentioned the matter.

Mr. BARKER. I was informed that there was an understanding in some way that the Bill was not to go on to-day.

Sir WILFRID LAURIER. I know nothing of it.

Mr. FITZPATRICK. It may have arisen out of a note sent to me by the hon. member for North Toronto (Mr. Foster), stating, as I understood, that he would be absent on Wednesday. But I understood the Bill was to come on to-day.

Mr. HENDERSON. There seems to be a misunderstanding ; for the hon. member for North Toronto (Mr. Foster) told me that the Bill would not come up until Wednesday because of his absence on Monday. I made no inquiry, but I understood from what he said that he had an arrangement made. He was going to move an amendment, and I understood the Bill was not coming up.

Sir WILFRID LAURIER. I cannot say what the hon. member for North Toronto had in his mind. But, so far as I am concerned, not one word has been spoken to me on the subject of having the Bill postponed.

Mr. HENDERSON. I did not say that the member for North Toronto had an arrangement with the Prime Minister—I do not know with whom he had the arrangement or understanding ; but he certainly understood clearly that the Bill would not come up to-day. That is all I know about it. There seems to have been a misunderstanding; and, if the government, on account of there having been a misunderstanding, could allow the Bill to stand over, I think it would be very well.

Sir WILFRID LAURIER. If it were government business, we would certainly have no objection in agreeing to have the matter stand over to a convenient day. But this is not government business, and it is for the promoter to say what should be done.

Mr. D. ROSS. This is the first I have heard of any arrangement made to postpone the Bill until Wednesday. A number of supporters of the Bill have remained over purposely to be here when the Bill should come up to-day. And, as this is a private members' day, I do not see how we can postpone the consideration of the Bill until Wednesday next.

Mr. TISDALE. I saw it stated in the newspapers that, when this Bill was last before the committee, the hon. member for North Toronto (Mr. Foster) stated that he had an amendment which he would move when the Bill came up for consideration again.

Mr. BUREAU. Why is he not here ?

Mr. TISDALE. I am not dealing with his not being here. I am dealing with the question of what the government are going to do about it. And also I am asking for information as to the correctness of certain newspaper reports which I have read. According to the newspapers the hon. member for North Toronto stated that he would postpone the motion he proposed to move in order to ascertain—as I understood—what the amendment was which the government proposed to move.

The amendment proposed by my hon. friend (Mr. Foster) may be met by the promised announcement of the government with regard to their policy on this Bill. It is quite certain that the hon. gentleman (Mr. Foster) intended to move his amendment un-

less the government announced a policy in consonance with it.

Mr. EMMERSON. When this Bill was under the consideration of the Railway Committee the hon. member (Mr. Foster) proposed the following amendment :

3a. It is hereby provided that the Governor in Council shall grant no permission to construct any part of the proposed road south of the International boundary unless it be shown to be necessary in order to overcome engineering difficulties, nor until satisfactory guarantees are given that the line from Cloverdale to Princeton will be completed on Canadian territory within a reasonable time.

After some discussion it was agreed that the consideration of that proposed amendment would be gone on with in the House. It involved a question of policy that might or might not affect the government, and the Minister of Finance suggested that in the meantime the government might consider the matter and make an announcement to the House. The matter has been considered and in the judgment of the government they do not deem it necessary to impose these restrictions on this railway.

On section 3,

Mr. DEPUTY SPEAKER. This clause is amended by striking out the word 'company' in the 43rd line and replacing it by the words 'Governor in Council'; and in the 46th line by adding after the word 'may' the words, 'subject to the approval of the Board of Railway Commissioners.'

Mr. W. F. MACLEAN. Do I understand the statement made by the Minister of Railways to cover the objection taken by the Minister of Justice that the Bill as framed would probably divert trade from Canada ? Is it the intention of the government to insert any protecting clause in the Bill ?

Sir WILFRID LAURIER. No.

Mr. HAGGART. How do we come to consider the first clause ? I did not understand that the other clauses of the Bill were carried.

Mr. DEPUTY SPEAKER. All the clauses of the Bill have been carried except 3 and 4.

Mr. HAGGART. I did not understand it that way.

Mr. BARKER. The hon. member (Mr. Haggart) is correct as to what took place in the Railway Committee, but the Bill has since been before the Committee of the Whole House and all the clauses except 3 and 4 were carried.

Mr. HAGGART. I was not in the House when that was done.

Mr. BERGERON. Do I understand that this is the only amendment to be made to clause 3 ?

Mr. TISDALE.

Mr. FITZPATRICK. I would suggest that one thing should be done at a time.

Mr. BERGERON. In the Railway Committee as well as in the House the other night, there was a question as to the wording of this clause and the House waited an expression of opinion from the government. There is more in the clause than the reference to the approval of the Board of Railway Commissioners. For instance the last five lines of the clause read :

And may construct, aid in the construction of, and when constructed maintain and operate such part of the continuous line of the companies railway instead of the line authorized by the Acts relating to the company and by this Act.

I understood from the Minister of Justice that this wording would be changed. It would seem to create two companies instead of one which would be a most extraordinary proceeding.

Sir WILFRID LAURIER. It has been considered by the Railway Committee, such as it is, and approved.

Mr. BERGERON. It was only passed by the Railway Committee on the understanding that an announcement would be made by the government in the House and that some change might be made.

Sir WILFRID LAURIER. The only expression of opinion asked from the government was on the amendment proposed by the hon. gentleman from North Toronto (Mr. Foster) and the Minister of Railways has said that we have no intention of accepting this amendment.

Mr. BERGERON. I am speaking of the last five lines of the clause, to which I would refer the right hon. gentleman. It looks as if the intention were to incorporate two companies instead of one.

Sir WILFRID LAURIER. The attention of the government has never been called to that point.

Mr. HENDERSON. An hon. member a few moments ago asked why the hon. member for North Toronto (Mr. Foster) was not here. I have already explained that the hon. member was under the impression that this matter would not come up until Wednesday. However, I think it makes no difference now. The government having announced their policy on the question, I do not think any one on this side of the House desires to move that amendment. I had a good deal to say with respect to this Bill in the Railway Committee. I never opposed the construction of the Vancouver, Victoria and Eastern Railway; only I contend that it should be constructed throughout on Canadian territory in accordance with the original charter. I still hold to the same opinion, and I believe that those who voted in the Railway Committee as I did felt that the original desire of the people of British

Columbia in 1897, when they granted a charter to this railway company, was to have a road constructed in Canadian territory. I did not even oppose a road diverging into the United States if that was absolutely necessary. I moved an amendment in the Railway Committee to the effect that the road from Burrard Inlet or Vancouver to Princeton should be constructed before permission was given to cross the boundary line; but that did not prevent the company crossing the boundary line. My intention was to make sure that the road from Cloverdale to Princeton should be constructed at all hazards. I desire to make my position perfectly clear. I never opposed the construction of this road; but I endeavoured to procure for the people of British Columbia an all-Canadian road from Similkameen valley through New Westminster to Vancouver, before there should be any divergence into the State of Washington. Now that the government have announced their policy, I do not think that the hon. member for North Toronto, even if he were here, would move his amendment. I do not see any advantage in it. All the information I could get from British Columbia, from the newspapers, from the resolutions of boards of trade, and in other ways, was that the people wanted the road from the coast to the Kootenay built on Canadian territory, and I did all I could to secure that. If there is any responsibility for the divergence of the road before it is completed from Cloverdale to Princeton, the government assume it and leave the promoters of the road free to construct the Canadian portion or not, before they diverge to the United States.

Mr. GALLIHER. I believe that the members whom the people of British Columbia have sent here can be trusted to look after the interests of British Columbia without calling to their aid the hon. member for Halton (Mr. Henderson). I was rather amused to hear the hon. member state that he has always been in favour of this Bill. If you turn up the records, I think you will find that the hon. member for Halton among others voted against the preamble. With regard to the amendment proposed by the hon. member for Halton, that the company should not be allowed to cross the boundary line until they built from the coast to Princeton, what would that have meant? It would have meant at least the loss of two years before the road from Princeton to Medway in the boundary country could have been built, and that valley would have been without railway service. I feel satisfied, and so do my colleagues from British Columbia, that the road from Princeton to Vancouver will be running over all-Canadian territory before another railway builds from Princeton to the boundary country.

Mr. HENDERSON. I am quite prepared to defend myself in this House without the aid of the hon. member. He tells us that the people of British Columbia have sent certain representatives here who he says are able to look after the interests of British Columbia. Well, I am not very sure that they are.

Mr. GALLIHER. If we are not, we will send for some one we have more confidence in than the hon. member for Halton.

Mr. HENDERSON. The hon. member may keep his mind easy. A year ago the hon. member made an elaborate speech in this House pleading with the government for a duty on lead. He did that in response to a request from the people of British Columbia, and when the vote came on, he turned around and voted against it. He voted down the very resolution which would have given him what he wanted. Does he mean to tell us that he is here to defend the interests of British Columbia?

Mr. GALLIHER. Since then the people elected me by the second largest majority in British Columbia.

Mr. HENDERSON. The vote of the hon. member last year shows that he is here first in the interests of his political party. I believe in supporting the interests of my province and country first, even if I have to vote against my party, in a matter of such material consequence. After the hon. gentleman told us that he wanted a duty on lead, I was ashamed to see him cast a vote declaring that protection to that industry was not required. After that the hon. gentleman need not tell us that the people of British Columbia can trust their representatives. But that is aside from the question.

Sir WILFRID LAURIER. Hear, hear.

Mr. HENDERSON. But I think it is sufficient to show that the hon. gentleman is not what he represents himself to be, namely, a pure representative of the interests of British Columbia. I repeat there is no object on this side in moving the resolution proposed by the hon. member for North Toronto. The government having taken their position on that question, I have no desire to do it nor have we on this side. I leave it to the government to carry out the policy they have proposed. I thought it would be a good thing to get some assurance from the railway company, which is seeking a charter, that they would construct that road on Canadian territory. All that I asked was a guarantee that that should be done, but did not want to refuse them a charter to cross the boundary line if they desired. I think our amendment was extremely moderate and fair. All we wanted to do was to protect Canadian interests; and these interests being protected, we tell the company practically by a resolution that if they desire to cross the boundary line by diverting the railway, they may do so if absolutely necessary. I have no desire to

continue this discussion. I have made my position perfectly clear. Every step I took in the Railway Committee was in the interests of the province of British Columbia by securing an all-Canadian line on Canadian territory; and to secure it beyond doubt, we should hold as a guarantee that the Canadian portion of the line should be built, crossing the boundary by diverging a short distance into the United States. If we have failed, we have at least done everything the people of British Columbia ask us to do. I feel perfectly satisfied that I have done nothing contrary to the interests of British Columbia.

Mr. D. ROSS. All I have to say in reply to the hon. gentleman for Halton (Mr. Henderson) is this, that the people of British Columbia will not forget what he and his friends have done.

Mr. HENDERSON. I am glad to hear that statement.

An hon. MEMBER. Everybody is satisfied.

Mr. HENDERSON. Is everybody satisfied ? The people of British Columbia will not object to what I have done. I have done all I could to secure a Canadian line on Canadian territory before allowing any divergence to the United States. I am much pleased with the hon. gentleman's statement.

Mr. KENNEDY. I would like to tell the hon. gentleman that the people of British Columbia will not forget the part he took in doing his best to fasten something on them which he would not attempt to do in his own province. He does not want our railways to be run into American territory for fear that they will carry away Canadian trade. Why did he not take that line when the Canadian Pacific Railway got a charter to draw trade from Winnipeg to St. Paul and from Vancouver to Seattle ?

Mr. HENDERSON. The answer is very plain. I hold in my hand a copy of a resolution passed by the board of trade of Chilliwack.

An hon. MEMBER. Where is it ?

Mr. HENDERSON. I know where the place is, if the hon. gentleman does not, but I am not here as his geographer. The resolution is as follows :

> Resolved that Mr. J. B. Kennedy be urged to move or support in the Railway Committee an amendment to the Vancouver, Victoria and Eastern charter to the effect that the road to the west from Princeton be laid out, constructed and operated through Canadian territory to the south of the Canadian Pacific Railway, and that construction be commenced continuously with the beginning of construction in the boundary district, and that this be a condition precedent to the granting of the said charter.

Mr. SAM. HUGHES. Who is Mr. Kennedy ?

Mr. HENDERSON.

Mr. HENDERSON. The hon. member for Westminster. There you have the board of trade from his own district asking the identical thing I proposed in my amendment. I was acting in the interests of the people of British Columbia by endeavouring to have carried out what they desire, as shown by the resolutions of their board of trade, and I have my course of action confirmed here by the telegram in my hand giving a copy of the resolution of the Chilliwack board of trade. I think that when the hon. member for Westminster considers the whole question, he will be satisfied that my course was in the interests of the people, and in not one instance did I say a word or call for a vote that operated against their interests.

Mr. HAGGART. The object of the amendment of my hon. friend from North Toronto (Mr. Foster) was to provide that if this road be built westward in the Similkameen Valley, it should be built upon Canadian territory; and if found impossible to build it entirely upon Canadian territory, power was to be given to the Governor in Council to inquire into the subject and allow a diversion into American territory. The other part of the amendment was to empower the Governor in Council to take means to see that the western part of the road, the road to Vancouver, should be built, not pari passu with the eastern section, but to see that there should be some guarantee that it should be built. I am not sure but that, under the clause proposed, all that is required by the amendment of my hon. friend from North Toronto is provided. I think the clause throws the responsibility, if the road passes out of American territory, upon the Governor in Council; and if any arrangement should be made with the lines to the south, the responsibility of the whole arrangement is cast upon the Railway Committee. In the meantime I do not see any objection to this section passing. The only thing suggested by the hon. member for North Toronto, which perhaps is not in the Bill, is that there should be some guarantee that the western portion of the road will be built. However, after it passes through committee, the next stage will be taken on Wednesday, and the hon. member for North Toronto may then be here and move his amendment to the Bill.

Mr. FITZPATRICK. I have no desire to offer any amendment to this clause at all or to consider the matter further than to suggest that, in the interests of the people and of those promoting the legislation, it would be very much wiser for them to amend the form in which it now is. Leaving the gentlemen who are responsible for this legislation to deal with the suggestion as they choose, I would submit that the clause be amended by inserting the following words, at the beginning of the section:

Upon the establishment, to the satisfaction of the Governor in Council that in order to the avoidance of difficulties of construction, it is reasonably necessary so to do——

Section 3, agreed to.

On section 4,

Mr. TISDALE. There is one point in connection with this clause which is worthy of the consideration of the government. As the clause is worded the government is not required to approve of any agreements made. This, I think, is a very serious departure from the usual practice of this parliament; heretofore we have not authorized any such agreement without its being subject to the approval of the government.

Mr. EMMERSON. It is left to the Railway Commission in this.

Mr. TISDALE. I submit that this is a matter involving policy and it is a dangerous innovation to take from the country and from parliament the safeguard that the government shall be responsible for all agreements of this kind. I do not think it was intended that the Railway Commission should have these duties.

Mr. HAGGART. But the Railway Commission have not these duties.

Mr. TISDALE. It was asserted in the committee the other day that the Railway Committee would have this authority. Whether they have or have not I think the government should not divest itself of that responsibility. I think that in this case, in this particular Bill, we are throwing a new and unconstitutional duty on the Railway Commission. If I am right in that view I think it is a serious objection. While I am not in accord with many things the government do and with their policy upon some things I am in accord with them in the view that we should carefully guard their responsibility in matters of this kind because they represent the whole country. I think, as I said, that this is a novel and dangerous departure.

Mr. FITZPATRICK. My last suggestion with respect to clause 3 was so enthusiastically received that I am encouraged to make another suggestion with respect to clause 4. Section 4 is one which I think deserves a moment's consideration. The first paragraph provides for agreements that are to be made with certain railway corporations, but section 2 of section 4 reads:

2. Upon any such agreements being entered into the railway or portion thereof to which such agreements apply shall thereupon become and is hereby declared to be a work for the general advantage of Canada, and may be operated as a portion of the railway of the company.

That seems to leave us somewhat in the dark. What road is to be declared for the general advantage of Canada, what portion of road? I do not want to discuss this matter at length, but I wish to make my protest against legislation of that description.

Mr. D. ROSS. The roads to which this applies are mentioned in section 4, they are the Vancouver, Westminster and Yukon Railway Company, the Victoria Terminal Railway and Ferry Company, and the New Westminster Southern Railway Company, or any of them. I might say that under their provincial legislation all these companies have the right to enter into agreements with other companies. Similar legislation was passed by the Railway Committee of this House this session of parliament in connection with the Dominion Atlantic Railway.

Mr. GALLIHER. I think these are all Canadian railways that are mentioned.

Mr. HAGGART. The Minister of Justice should not be content with a protest. If I correctly understand the principles of constitutional government, the government are responsible not only for government measures but for all legislation introduced into this House; they are as much responsible for this Bill as if it had been a government Bill, and if the Minister of Justice states that two clauses of it are not in accordance with what he thinks is right, then it is the duty of the government to see that they are put right or else the government are laying aside one of their absolute duties. A part of their function is to see that all legislation, not only that introduced by themselves, but all legislation, is correct and has the approval of the government.

Sir WILFRID LAURIER. There is something to be said in favour of the contention just enunciated by the hon. member for Lanark (Mr. Haggart). On the other hand I must say that the government as a rule take the position upon these Bills which are reported from the Railway Committee that the House ought to support the committee, presuming that the matter has been carefully attended to in that committee. But when an objection of the serious character just mentioned by the Minister of Justice is brought to the attention of the government it is a thing which cannot be overlooked. As the matter is now brought to my attention for the first time I may safely say that in my judgment the Bill while it should pass, ought to be allowed to stand until Monday next and during the interval this matter may be looked into.

Mr. GALLIHER. As I read section 4 the first part is that the company may enter into an agreement with the Vancouver, Westminster and Yukon Railway Company, which is a Canadian company; the Victoria Terminal Railway and Ferry Company, which is a Canadian company; and the New Westmin-

ster Southern Railway Company, which is also a Canadian company. They are permitted to enter into an agreement with all or any of these three companies, and the second section says that when such an agreement is entered into with either one or all of these three it shall be declared a work for the general advantage of Canada. What is there in that legislation that is not in line with the legislation that is passed in this House every session? I am willing to accept or to consider any suggestion the Minister of Justice will make with reference to this. I hope I have not been discourteous; I did not intend to be sarcastic in reference to the amendment of the minister a moment ago. I did not speak upon it and did not intend to treat it in that way. Far be it from me to take such a position. The suggestions of the minister are suggestions that I think every one of us is bound to consider carefully, and if there is anything wrong in section 4 or any departure from the ordinary principles of legislation in it, I am willing to consider any suggestion the Minister of Justice may make in that behalf.

Mr. BARKER. I think there is a good deal in what the Minister of Justice has said for the consideration of the hon. member who has just spoken. We all know that in this House we have power to declare that a particular work is a work for the general advantage of Canada and certain results flow from that declaration. It has become the practice of this House to declare anything for the general advantage of Canada that the promoter of a Bill chooses to so style in that Bill, but the statement in this Bill goes a little further than any we have yet had. It does seem a hypothetical declaration, if certain things happen in the future it is a work for the general advantage of Canada, but if these things do not happen in the future I presume it is not a work for the general advantage of Canada. That is the point practically that the Minister of Justice is raising.

Mr. FITZPATRICK. Not only that, but you can declare a specific work, which is certain and is known, to be a work for the general advantage of Canada, but can you declare in advance that a work or a portion of a work which is not defined or described may become a work for the general advantage of Canada? That is to say, can you say that a portion of something that is not in existence to-day may become subject to our legislation. I am not saying this in order to criticise the Bill, but in the well-understood interest of this legislation if it is seriously intended to carry it. When the courts are called upon to construe this Act in the future how are they to know what portion of the road is to be for the general advantage of Canada? How are the courts to determine which Railway Act, the provincial or the Dominion, will be applicable? In case of expropriation how are you to proceed?

Mr. GALLIHER. Is there a Bill that goes through this House authorizing a railway, before a mile of it is built, in which the railway is not declared to be for the general advantage of Canada? What would the Minister of Justice suggest? I am willing, as I say, to consider any suggestion. I do not want to see the Bill delayed and it must not be forgotten that we declare railways before a mile is built to be for the general advantage of Canada. This is simply a permission to enter into an agreement with existing companies; they are not mythical companies. If an agreement is entered into with actual existing companies in Canada surely we can declare them to be for the general advantage of Canada, if we can make a similar declaration in Bills relating to railways of which not a mile has been built.

Mr. FITZPATRICK. What you do here is to authorize the company to enter into an agreement with the other companies. Then you go on to say that the others which are mere provincial concerns may become Dominion concerns. You do more than that. I can understand legislation of that description, but you do more, you not only declare the company that is in contemplation to be for the general advantage of Canada, but you declare any portion of its line to be for the general advantage of Canada. What portion? What are you dealing with? What is it that you are bringing under the scope of our legislation?

An hon. MEMBER. The railway.

Mr. FITZPATRICK. It may be a mile of railway.

Mr. TISDALE. I want the gentlemen who are supporting this Bill to understand that others are just as anxious as they are to see it pass in a proper shape, and they must not think that we are obstructing their Bill. The clauses of section 281 of the Railway Act apply, which requires that the charter should be subject to the approval of the Governor in Council, and that proper notices should be given. But in section 3 the agreement is even more important, because their powers are taken for amalgamation, they are more important than an ordinary agreement between two roads in Canada. If it is only two roads in Canada, they have to go through all the proceedings that are mentioned in 281. Now, section 3 absolutely removes it from the Railway Act, in my opinion, because it refers the terms of that agreement to the Board of Railway Commissioners, an entirely different board from that to which all other agreements and amalgamations by our Railway Act are approved. I doubt if the Railway Committee the other morning considered what was in the other clause.

Mr. EMMERSON. Will my hon. friend read the section of the Railway Act?

Mr. TISDALE. Section 281 is headed 'Amalgamations and agreements,' and is followed by 282 and 283, which are too long to read. Clause 4 of the agreement between Canadian companies refers to 281. Clause 3 goes on to state that agreements may be entered into between an American road and a Canadian road for running rights and so forth. Now, by this special Act we have referred the terms of this agreement to the Railway Commission, something that, in my opinion, was never intended to be referred to the Railway Commission. I want the Minister of Railways to look at this clause and look at clause 3 and see if the suggestion that I made in the committee ought not to prevail. It hurts nobody; on the contrary, the time will come when the promoters of the Bill will thank me for having pointed out to them this departure from the usual procedure.

Mr. EMMERSON. It is to be submitted to the Board of Railway Commissioners first.

Mr. TISDALE. Still, the Governor in Council has to deal with it.

Mr. MACPHERSON moved to add the following to the said Bill as clause 7:

The company shall, within two years from the passing of this Act, commence the construction of the western portion of its line at or near Cloverdale, and continuously prosecute the construction in an easterly direction to Princeton, along the route as laid down in the original charter of the company, being chapter 75 Victoria of the statutes of British Columbia.

Mr. HENDERSON. I have no objection to the amendment; I would like to ask the hon. gentleman, however, what would happen. It seems to me it will be no advantage to the people of British Columbia to say that the company should do so and so, when you do not provide that they should do so and so. The hon. gentleman knows as well as I do that his motion will have no effect whatever.

Mr. HAGGART. Will the charter be subject to the conditions? Suppose they don't go on and build the road.

Mr. GALLIHER. It applies only to so much as is constructed, the same as any other charter.

Mr. HAGGART. I doubt if the clause in the Act will have the effect of voiding the charter on the part of the road you have completed unless there is a special provision to the contrary.

Mr. DUNCAN ROSS. In reply to the hon. member for Lanark (Mr. Haggart) I would say that under this Bill the Governor in Council has the right to say where this line shall cross the international boundary, and if they do not comply with the conditions imposed by the amendment moved by the hon. member for Vancouver (Mr. Macpherson) it is not at all likely that the Governor in Council will allow them to do anything else, unless they comply with the legislation adopted by this House.

Mr. TISDALE. I understand the suggestion of the Prime Minister to be that we pass this clause and let it stand until Wednesday, because we will have to come back into committee if the suggestions of the Minister of Justice are considered.

Sir WILFRID LAURIER. No, we must go on to-day.

Mr. R. L. BORDEN. I thought the Bill was not coming on to-day. My hon. friend from North Toronto (Mr. Foster) assured me that it was not coming on, that he had an arrangement with some member of the government.

Sir WILFRID LAURIER. I never heard of it.

Mr. R. L. BORDEN. He assured me on Saturday that the Bill would not come up to-day. He said, 'I have an arrangement about it, as I am not to be here on Monday. It will stand over until Wednesday.' I do not know the nature of the arrangement, but he left me under the impression that the Bill would not come on.

Mr. FITZPATRICK. He sent a note across the floor to me. I understood from it that he could not be here on Wednesday, and asked if it was coming up on Monday and I said, 'yes.'

Mr. R. L. BORDEN. He has evidently got the thing reversed.

Mr. FITZPATRICK. I read the note to mean that he would be absent on Wednesday and wanted to know if the Bill would come up on Monday.

Mr. R. L. BORDEN. I understood that it would come up on Monday, until I saw the hon. gentleman (Mr. Foster) on Saturday when he assured me that it was not coming up on Monday.

Mr. HAGGART. Referring to the clause that was under discussion I would like to ask a further explanation. Suppose bonds are issued on the eastern section of the road on the condition fixed that within two years the road shall be completed, will the bonds issued on the whole road be subject to the condition embodied in the Bill?

Mr. TISDALE. I suppose they would. The charter would not be forfeited by non-compliance with the condition, but would remain good for that part of the road that has been constructed. There are questions that we have never decided here, but that have been decided in the courts. A charter does not expire merely by non-fulfilment of such a condition as this, but only as a result of action in the courts, and action can be

brought only by the authority of the Attorney General. Comparatively few people understand that a railway company's charter remains good, even though it has not completed its work within the time fixed. That is the distinction between the Dominion law and the extraordinary clause in the British Columbia charter. That forfeits the charter. But what becomes of the road already built? There is no doubt that under our law the charter remains good in law and fact, as regards any work that has been completed. There is no doubt about that, and that is as it should be. This clause is the usual clause.

Mr. HENDERSON. Before the Bill is reported, I desire to call the attention of the Minister of Justice (Mr. Fitzpatrick) to section 5. I have given notice of an amendment to be moved on the third reading of the Bill; but, if the Minister of Justice thinks there is no merit in that amendment, I shall not move it. The point I wish to draw attention to is this: Under section 20 of the original charter, power is given to construct a great many branch lines, the length of these branches, or their points of commencement and termination not being definitely stated. Now, I find that subsection 8 of section 175 of the Railway Act of 1903, provides as follows:

> Except with reference to branch lines authorized by the special Act to be constructed between any two points or places definitely fixed or named therein, no power to construct branch lines in any special Act contained, inconsistent with the provisions of this section shall have any force or effect after three years from the passing of this Act.

Now, I apprehend that there is a conflict between the Railway Act and the charter of this company. If the Minister of Justice thinks there is not, I have nothing further to say. But it would certainly not be wise to pass this charter without having all matters of this kind cleared up. Section 5 of this Bill provides as follows:

> The construction of the railways authorized by the said Act of the province of British Columbia and by this Act may be commenced within two years after the passing of this Act, and the said railways may be finished and put in operation within five years after the passing of this Act.

Now, the amendment I have given notice of would leave out the words 'authorized by the said Act of the province of British Columbia and by this Act.' As the original charter provides for the construction of a great many lines of considerable length the points of commencement or terminus not being definitely fixed, it would seem that the charter is out of harmony with the General Railway Act of 1903. I do not wish to throw any obstacles in the way of the Bill and I do not think that the amendment I suggest, even if it should be adopted, would have such an effect.

Mr. FITZPATRICK. I would like to have time to consider the point.

Mr. TISDALE.

Mr. HENDERSON. I think it is worth considering.

Bill reported.

PATENTS OF DAVID THOMAS OWEN.

House in Committee on Bill (No. 177) respecting certain patents of David Thomas Owen.—Mr. Stewart.

On section 1—extension of time for manufacture—

Mr. R. L. BORDEN. Are these sections in the form usually adopted by the House? Perhaps the Minister of Justice (Mr. Fitzpatrick) can tell us.

Mr. FITZPATRICK. I am not the promoter of the Bill, and have not even had an opportunity to look at it. It concerns the department which has control of the patent law.

Mr. R. L. BORDEN. I suppose the Bill will stand until somebody can answer?

Mr. BELCOURT. When the Bill was considered by the Private Bills Committee, there was an officer of the Department of Justice there, and no objection was raised by him to the form or substance of the Bill.

Mr. R. L. BORDEN. I think that somebody should be here who is able to answer a simple question such as that I have asked with regard to this Bill.

Mr. BELCOURT. There having been no objection to the Bill in committee, I assume that the Bill was in satisfactory form.

Mr. DEPUTY SPEAKER. Shall the section carry?

Mr. R. L. BORDEN. I object to the Bill passing until some one is here to answer the question asked—whether or not these clauses—which have not even been read—are in the form usually adopted by the committee and the House. I suppose they are. But somebody should be here able to answer that question definitely. There should be some one who takes enough interest in the Bill to be able to state the facts.

Mr. FITZPATRICK. There is only one way to proceed regularly and that is to allow the Bill to stand until some one can explain.

Some hon. MEMBERS. Hear, hear.

Progress reported.

BRANDON, SASKATCHEWAN AND HUDSON BAY RAILWAY COMPANY.

House in committee on Bill (No. 179) respecting the Brandon, Saskatchewan and Hudson Bay Railway Company—Mr. Turriff.

Mr. TURRIFF. I move that this Bill be referred back to the Railway Committee.

Mr. R. L. BORDEN. For what reason?

Mr. TURRIFF. The Bill was called earlier than I expected in the Railway Committee so that I was not present, and clause 3 was struck out under the misapprehension that proper notice had not been given. The advertisement in the newspaper was wrong in the first issue, but it was set right in subsequent issues, and clause 3 was rejected on the mistaken ground that it had not been properly advertised.

Mr. BERGERON. If that is the only amendment you need, it can be done in this committee with the consent of the whole.

Mr. TURRIFF. I should be very glad of that.

Mr. HENDERSON. It was intimated in the committee that no notice or not sufficient notice had been given of this clause, and for that reason the committee very properly decided to expunge the clause. A short time ago the right hon. leader of the House stated that we should pay a good deal of attention to a report of the Railway Committee, and I ask that the advice of the Prime Minister be taken in this case. We did pay attention to it in regard to another Bill in which unfortunately an error was made. A resolution which I moved in the Railway Committee with regard to the Victoria, Vancouver and Eastern Railway was declared defeated, but it was defeated by the vote of an hon. member of the House who was not a member of the committee, and I am sorry to say that he was one of the right hon. gentleman's colleagues. Therefore, we cannot always depend on the reports of the Railway Committee. But in this case I feel quite satisfied that the report of the Railway Committee voices the sentiment of the committee.

Mr. SPEAKER. I think the motion is that I do now leave the chair.

Motion agreed to, and House went into committee.

Mr. TISDALE. Will the hon. member tell us what he wants to do ?

Mr. TURRIFF. The Bill came to this House from the Senate. It was taken up by the Railway Committee at the last meeting earlier than I expected, and I was not present ; but I understand that clause 3 was struck out on the ground that proper notice had not been given. I want clause 3 re-inserted.

Mr. TISDALE. Do I understand that the hon. member can show that proper notice was given ?

Mr. TURRIFF. I am informed by the senator who had charge of the Bill in the Senate that it was.

Mr. HENDERSON. The clause was struck out in the Railway Committee because we were informed there that the notice was insufficient, and we thought it would be unfair to put in a clause authorizing the construction of a railway through a section of country in which, I have no doubt, numerous other railway companies are chartered to construct railways without notice that this clause was proposed in this charter. The lack of notice was the only reason why it was struck out.

Mr. BERGERON. If that was the only reason, I do not think it was proper. The question of notice is a question for the Committee on Standing Orders ; we have nothing to do with that here. That was a question to be settled by the Senate when the Bill came up there. If we struck the clause out on that ground, we might become involved in one of those discussions between the House of Commons and the Senate that should be avoided. If that is the only reason why the clause was expunged, I think we should allow it to be re-inserted.

Mr. TISDALE. We must not forget that this Bill was passed by the Senate, and we must assume that they looked properly into the question of notices. The question is a question of fact. If the promoter of the Bill cannot inform us of the facts to-day, I think we should allow the Bill to stand till Wednesday, so that the hon. gentleman could inquire into them in the meantime.

Mr. GRANT. I think I can throw some light on this matter. I am informed by the Clerk of the Standing Orders Committee of the Senate that they looked thoroughly into the question and found the notices to be sufficient. It may be true that the original notice was insufficient, but I am informed that it is now all right. In my judgment, the clause was struck out by the Railway Committee in error.

Mr. BERGERON. On reference to the report of the Standing Orders Committee, I find that this Bill was reported on by that committee on the 23rd of June, and that the notices were stated to be correct. As my hon. friend from Halton states that that was the only reason why clause 3 was expunged, I believe it would be our duty to comply with the request of the promoter of the Bill and re-insert that clause.

Mr. TURRIFF moved that section 3 be restored.

Mr. HAGGART. Is it covered by the petition ?

Mr. TURRIFF. Yes.

Mr. TISDALE. This clause gives power to construct a railway, and we ought to proceed carefully. I am inclined to think that the prudent way would be to refer the Bill back to the Railway Committee. This can only be done without notice by unanimous consent. We should avoid falling into loose methods of doing business, and I do not think it would endanger the Bill to refer

it back to the committee if we have no facts before us to justify us in restoring what the committee struck out.

Sir WILFRID LAURIER. I think the point raised by my hon. friend from Norfolk (Mr. Tisdale) is well taken, and I move that the committee rise, report progress and ask leave to sit again.

Progress reported.

Mr. TURRIFF moved that the order be discharged, and that the Bill be referred back to the Committee on Railways, Canals and Telegraph Lines.

Motion agreed to.

CONSIDERED IN COMMITTEE—THIRD READING.

Bill (No. 165) respecting the Canadian Yukon Western Railway Company.—Mr. Thompson.

Bill (No. 173) respecting the St. Maurice Valley Railway Company.—Mr. Bureau.

Bill (No. 164) to incorporate the Monarch Bank of Canada.—Mr. Gordon.

Bill (No. 182) to incorporate the Sterling Bank of Canada.—Mr. Calvert.

QUESTIONS.

SASKATCHEWAN LAND COMPANY.

Mr. FOSTER—by Mr. Blain—asked:

1. What official or officials of the department authorized, or made the issue of, the patents to the Saskatchewan Land Company, on evidence of homestead entries instead of actual settlement, as stated by Clifford Sifton, Minister of the Interior, as recorded in 'Hansard' of 1904, page 7046, as follows: Mr. Clancy—Was it done on his recommendation? Mr. Sifton—No. Mr. Clancy—If the deputy did not recommend it, who did? Mr. Sifton—We will make careful search and find out exactly how the transaction took place. And also on page 7050, as follows: Mr. Sifton—I presume they referred to homestead entries as sufficient evidence. I was not willing to act upon that, but subsequently the officers issued the patents on Mr. McConnell's report.

Hon. FRANK OLIVER (Minister of the Interior). Patents to the Saskatchewan Valley Land Company were issued by the Chief Clerk of Patents Branch on the authority of the Commissioner of Dominion Lands, and were signed by the deputy Minister of the Interior, the Under Secretary of State, and the deputy governor. The land so patented was sold to the company with conditions of settlement.

SECRETARY OF STATE REPORT.

Mr. BELCOURT asked:

1. What was the number of employees in the Department of the Secretary of State on December 31, 1894, and on December 31, 1904, respectively?

2. What was the total amount paid to the staff of such department in each of the fiscal years covering the said dates, including as well the salaries of the Secretary of State and the Under Secretary of State?

3. What was the total revenue of the said department for those years respectively?

Rt. Hon. Sir WILFRID LAURIER (Prime Minister):

1. December 31, 1894, 39; December 31, 1904, 29.

2. 1894-1895, $51,758.18; 1904-1905, $47,-645.85.

3. 1894-1895, $5,763.95; 1904-1905, $65,-590.80.

PORT BURWELL DREDGING.

Mr. BLAIN asked:

1. Who has the dredging contract at Port Burwell?

2. When was the contract given, and was it let after public competition?

3. Who are the contractors, and at what price?

4. How many tenders were received, and what was the amount of each tender?

5. Has the government made any advance for purchasing the dredge now being used at Port Burwell? If so, what amount?

Rt. Hon. Sir WILFRID LAURIER (for the Minister of Public Works):

1. The Dominion Dredging and Construction Company.

2. Contract not yet signed; yes.

3. The Dominion Dredging and Construction Company; (b) 14½ cents per cubic yard.

4. Five tenders were received:

	Per cubic yard.
A	14½ cents.
B	16 "
C	17 "
D	18¾ "
E	20¾ "

5. No.

SUNDAY OBSERVANCE.

Mr. SPROULE—by Mr. Blain—asked:

Referring to a report of the secretaries of the Lord's Day Alliance, published in the 'Lord's Day Advocate' of June, 1905, setting forth an interview had with the Minister of Justice on the 9th of May last, and containing the following paragraph: 'We were much pleased further, to be assured by Mr. Fitzpatrick that, should the Judicial Committee of the Privy Council decide that the Dominion parliament has jurisdiction to legislate upon the Sunday question, and not the provincial legislatures, we could rely upon having his loyal support for the enactment of such legislation as we had indicated in our draft Bill. You will find me, he said, solidly with you in this matter;' 1. Did the Minister of Justice give the assurance and make the statement above set out?

2. If so, was the minister then speaking for the government, or for himself only?

3. Has the government, as a matter of fact, determined upon the course of action outlined by the Minister of Justice as above stated?

Hon. CHARLES FITZPATRICK (Minister of Justice). I had several conversations, the exact tenor of which I do not now

recollect, with the secretaries of the Lord's Day Alliance. I need hardly say that I did not consult the government as to what I was to say on each occasion. No doubt the government then intended, and now intends, if it be found that Sunday legislation is under our control, to deal with the matter in such a way as to give satisfaction to all parties concerned.

SUPPLY.

House in Committee of Supply.

Northwest Mounted Police, $1,065,000.

Sir WILFRID LAURIER. The two principal items have been passed. We reserved the sum of $25,000, on which I promised to explain all the estimates, as at that time most of the members of the Northwest Territories were engaged elsewhere, and I thought it advisable to wait their return. We have this year for the pay of the force $240,000 against $205,000 last year. This is in consequence of a Bill adopted in the early part of the session whereby we have sought power to increase the pay of the force. I shall take separately the affairs of the forces of the Northwest Territories and the forces of the Yukon. The strength of the force in the Territories at the present moment is intended to be and is about 600 men. There are 39 officers and about 546 non-commissioned officers and men. The pay of the officers is as follows:

Commissioner	$2,600
Assistant commissioner	1,600
Superintendents	1,400 each.
Inspectors	1,000 each.
One surgeon	1,200

The pay of the men is as follows:

	Per day.
Staff sergeant	$1.25 to $1.50
Sergeants	1.00
Corporals	0.85
Constables	0.50 to 0.75
Special constables and scouts	0.75 to 1.50
Buglers	0.50
Artisans	0.50

The object of the Bill we have passed is to raise the pay of the officers by $400 each, so that the commissioner who to-day receives $2,600 will hereafter receive $3,000; the assistant commissioner instead of $1,600 will receive $2,000; the superintendents instead $1,400, $1,800 and so on. It is not the intention of the government to give that increased amount of $400 each immediately but to increase the pay at the rate of $50 a year. However, the men who have been eight years in the service and more will receive eight times $50; that is to say they will increase at the rate of $50 for each year they have been in the service. The officers who have been seven years in the service will receive an increase of seven times $50 or $350, and so on. The same principle will be applied in granting the increases to the men of the force. They will be increased at the rate of five cents per day for each year they have been in the service until they receive the increase of 25 cents a day. At present we engage our men at 50 cents a day and they work up to the maximum of 75 cents. We propose to engage them at 60 cents a day and to give a maximum of $1 a day. The rate of addition will be the same as in the case of the officers. The men who have been a long time in the force will receive the full amount of increased pay and those who have been in only a certain number of years will receive a proportionate increase. This explains the increase of $35,000.

There are no increases for forage, repairs to buildings, and new buildings.

Mr. R. L. BORDEN. I simply wanted to inquire the number of the force at present and where they are stationed.

Sir WILFRID LAURIER The force is calculated to be 600 men. It is kept at about 600. At present I think it is a little less. We have seven or eight different districts and about ninety different stations. Each district is in charge of the superintendent; we have one say at Regina, one at Macleod, one at Banff one at Fort Saskatchewan, and so on. The force is distributed all over the Territories from the boundary line up in the mouth of the Mackenzie river. We maintain a force and I conceive that we will be obliged to maintain a cordon of police on the boundary from the banks of the Red river up to the boundary of British Columbia. That is to say that for many years we will not be able to dispense with the services of the force on the boundary line. We have to do that not only to protect the country against the operations of smugglers but to protect property, also principally against horse thieves and criminals of that class. The moment these men do not see the uniform they will invade our country, but with the uniform at the boundary line we feel reasonably sure there will be no crime of that kind. That country has been remarkably free from crime up to the present time. Then we have at the present time forts extending all the way from the boundary to the Arctic ocean, in the district of Athabaska, along the Peace river, the Athabaska river and the Mackenzie river up to the mouth of the Mackenzie river. We have two small forts at the mouth of the Mackenzie river, one at Fort Mackenzie and the other on Herschell Island. In the lower parts of the country, that in the upper portions of the Peace river and the Athabaska river district, settlement is now going in and we find the police the best possible help to the settlers. At the mouth of the Mackenzie river the police are intended principally to protect the country against American poachers. American whaling men winter at the mouth of the Mackenzie river and the complaint is that their presence is not at all conducive to the best interests of the Indians, and the object

of having the force there is to maintain British law in that distant part of the country.

I can conceive that we shall be obliged, as soon as the new provinces are organized, to revise the present arrangement for the maintenance of order and the administration of justice. The committee is aware that the administration of justice in that country has been chiefly in the hands of the Northwest Mounted Police. They not only have to take care of the country as regards the offences against the laws of Canada but they are called upon also to perform all sorts of duties, not only those which properly appertain to the police force, such as it was when first organized, that is to say to check the Indians and protect life and property, but they are also called upon to discharge many different duties which add to the comfort and security of the settler. For instance, one of the chief duties of the police has been to protect the country against prairie fires. The men are stationed all the way from the boundary line to the Mackenzie river in about ninety different posts, each post comprising a number of men varying from six, ten or twelve at the principal posts such as Regina, Fort Macleod, and so on to intervening posts at which there will be perhaps only one, two or three men. These men are really the friends of the settlers and are looked upon for a multitude of duties chiefly where settlement is going on. The settlers come chiefly from Europe and are not accustomed to our ways and they look at once to the police for every possible thing they may require.

Well, we have to maintain a force of that kind. As soon as the new provincial governments are organized we shall ask them to make arrangements with us for the pay of the police in connection with the administration of justice, which will be taken over by the provincial governments. Therefore they will have to pay for it. We are prepared to maintain the police if they pay a reasonable share of its maintenance, and if they are not disposed to pay a portion of the maintenance of the force, then we shall have to consider what course to take. I will give to the committee a communication that has been placed in my hands by the Comptroller of the Mounted Police, relating to this subject:

More than 1,500 prisoners passed through the police guard rooms last year—those sentenced to two years and upwards are sent to the Manitoba penitentiary, others are sent to the Regina and Prince Albert jails, but there are never less than 100 in the custody of the police.

The Department of Justice repays our vote a per diem rate for prisoners after committal, and travelling charges of prisoners, and escort to place of confinement; also, in serious and costly cases, a portion of the costs incurred—in all between $30,000 and $40,000 per annum, which is steadily increasing. We also recover for lunatics.

Then there is a great deal of work done by the police which in older provinces would be paid for from provincial or municipal funds.

Last year there were nearly 1,000 cases of offences against the person or property, over 1,300 under the heading 'religion and morals,' and between 700 and 800 against ordinances of the Northwest Territories, in all there were 4,329 cases entered, and 3,465 convictions. In 1900 there were less than 1,000 cases all told.

Section 31 of the Mounted Police Act, Revised Statutes, chapter 45, provides as follows:

The Governor in Council may, from time to time, enter into arrangements with the government of any province of Canada, for the use or employment of the said police force, or any portion thereof, in aiding the administration of justice in such province, and in carrying into effect the laws of the legislature thereof; and may, in any such arrangement, agree upon and determine the amount of money which shall be paid by the province using the same in respect of such services of the force.

Well, we intend to negotiate with the new provincial governments on the basis of this section, and to arrange with them that they shall pay a portion of the maintenance of the police.

Mr. R. L. BORDEN. Is any portion of the police maintained in Manitoba?

Sir WILFRID LAURIER. Only on the boundary line.

Mr. R. L. BORDEN. Have you any arrangement of that character with the government of Manitoba?

Sir WILFRID LAURIER. No.

Mr. SAM. HUGHES. Now that these Territories are being organized into provinces, is it the minister's intention to maintain the mounted police in those Territories?

Sir WILFRID LAURIER. We must certainly maintain the mounted police on the frontiers of Alberta and Saskatchewan.

Mr. SAM. HUGHES. Why not on the frontier of British Columbia also?

Sir WILFRID LAURIER. Because there is not the same reason as there is in Alberta and Saskatchewan, where the frontier is exclusively prairie. If we were to withdraw the police from that frontier there would be an amount of lawnessness such as this country has never seen, and I hope will not see. I think we shall have to maintain a portion of the police also in Athabaska for some time and in Mackenzie; and in the other portions of the country where railway construction is going on, it will perhaps be necessary to maintain the police for some time.

Mr. W. F. MACLEAN. Are there any on Hudson Bay?

Sir WILFRID LAURIER. Yes, we have had an expedition on the Hudson Bay this winter, and for the last two years; one superintendent, Major Moodie, one inspector, Mr. Pelletier, one physician, one sergeant, and nine men. We have not yet received the report of last winter.

Mr. SAM. HUGHES. What is the increase in the number of the force this year over last? And can the minister also give us the number of desertions from the force, the number of promotions from the ranks to the position of officers, and what punishments have been inflicted?

Sir WILFRID LAURIER. In 1896 we found a force consisting of 1,000 men. We reduced it to 500, and afterwards increased it to 600, which is the present number. Since 1896 we have made thirteen appointments and eleven promotions. As to the number of desertions, I can only speak of last year, when there were twenty. All the appointments have been made from the ranks of the active militia.

Mr. SAM. HUGHES. Has the First Minister any record of the punishments?

Sir WILFRID LAURIER. In the Northwest Territories 23 men were dismissed from the service and in the Yukon 10 men. The offenses were not of a very grave character—the most common one was drunkenness.

Mr. SAM. HUGHES. There were other offenses for which men were confined in barracks, put in prison, and so on?

Sir WILFRID LAURIER. I have not that information at hand.

Mr. SAM. HUGHES. I think it advisable that the information should be brought down during the session. Not that I think the officers are too hard on the men, but this is information which should be before the public. The position of a mounted policeman is changing. Formerly he was more or less a judicial officer; now he is more a policeman.

Sir WILFRID LAURIER. He is as much a judicial officer as ever.

Mr. SAM. HUGHES. But he has not the same scope for the exercise of those functions. There was a time when the mounted policeman was practically king of the country in which he was situated. To-day municipal organizations and other authorities exist which do a considerable part of the work formerly done by the mounted policeman, and so the exercise of his powers is more or less limited. I have always thought it important that the mounted policeman and the regular soldier should not be subject to any danger of extreme punishment by their officers. To this end, whatever offences these men may have committed we should have a record of them here in parliament, so that in case of necessity the public may have all the details. There may be cases in the mounted police, as there have been in other organizations, of vindictiveness and spite on the part of those who exercise power. I would rather that a thousand offenders should go unpunished than that one man should be punished improperly.

Sir WILFRID LAURIER. This is the ninth year that I have had charge of the estimates of the Northwest Mounted Police, and I must say that information such as that asked for by my hon. friend (Mr. Sam. Hughes) was never asked before. I think the condition of the force is as good to-day as it ever was, and I do not know that there has been any charge of cruelty or anything of that sort on the part of the officers. But my hon. friend (Mr. Sam. Hughes) is entitled to the information that he asks for, and I shall see to it that it is brought down.

Northwest Mounted Police—Yukon Territory—pay of force, $185,000.

Sir WILFRID LAURIER. The force in the Yukon is composed of three hundred officers and men. There are 16 officers—an assistant commissioner, 2 superintendents, 9 inspectors and 4 surgeons.

Mr. SAM. HUGHES. So, all told, there are 900 mounted policemen?

Sir WILFRID LAURIER. Yes—600 in the Northwest Territories and 300 in the Yukon. The rate of pay to the mounted police in the Yukon is the same as in the Northwest Territories, except that a special allowance is given to those in the Yukon. The assistant commissioner and commandant of the force receives an allowance of $2 per day; superintendents, inspectors and surgeons, $1.25 per day; sergeants, 75c. per day; corporals, 50c. per day, and constables 50c. per day.

Mr. THOMPSON. Even at the increased rate of pay that the Prime Minister (Sir Wilfrid Laurier) has suggested, and the Bill provides for, the officers and men in the Yukon are not paid as much as they should be when you consider the pay received by the ordinary labouring citizen in that country In the mounted police of the Yukon we have a very high class of men, and the force has been a credit to the government and to the country. When the force was first established, I believe, the idea was not to have a swagger regiment, but a mobile force that would police the frontier. If that was the idea, then the force in the Yukon have lived up to that idea absolutely. The variety and value of the work done by these men is not generally known or appreciated. Besides ordinary police duty, they furnish escorts to bring gold from claims to the banks in Dawson—unfortunately there is not so much of this as there formerly was. They assist the crown timber and land agents in collecting fees. They act as officers of the Customs Department to collect duties on imported goods, some of the men being employed in the Customs Department altogether. They help the telegraph department in repairing the lines. The sergeant-at-arms in the Yukon Council is a member of the mounted police. In some cases of minor offences on the creeks the policemen try

the offenders. And it is surprising, Mr. Speaker, what an amount of legal knowledge these men acquire from having to try these cases in their own courts before sending the offenders before the higher courts. The mounted policemen serve papers, such as jury summonses, small debt summonses, subpœnas, and so on. Sometimes the mounted policeman is made the receiver upon a claim. This duty requires that the man shall not only be a man of good education, but a man of thorough integrity as well. They have charge of the jails in Dawson and Whitehorse. During 1904, 416 prisoners passed through their hands in the Yukon Territory. They also have charge of the insane. This requires almost special knowledge, because in that country there is a larger proportion of insane than in other parts of Canada owing to the strenousity of the life there. The mounted policemen also carry the mails. I have seen these men turn out with a dog team in the dead of winter to carry his Majesty's mail distances of from 100 to 500 miles. In fact, so varied and so important are the duties of the Northwest Mounted Police in the Yukon, that I do not know how we could have got on without them. They have made it possible for us to live there in peace and quietness. They have protected life and property and have stood practically for everything that is right. It is true that the people have backed them up. Still, had it not been for the police we should undoubtedly have had much more crime in the Yukon than we have had. That the ministers themselves value the services of these men is shown by one incident out of many. Last fall the Department of the Interior saw fit to discharge a number of our mining recorders. These officers were receiving about $200 or $225 a month each. At one fell swoop they were removed. I have not a word of criticism to offer on that action; I rather think that there were too many of these officers. But, whom did the government appoint in place of these mining recorders? They took the policemen—regular constables, sergeants and others—and placed them in these offices. And surprising to state, the men whom they put in these offices have given the people first-class satisfaction. So great is that satisfaction that I have in my desk a petition asking that policemen who are now presiding over the affairs of the mining recorders' offices should be left there and no more civilians appointed. I think that is recommendation enough for any force. The policemen are attached to the secret service and do valuable work in that way. In almost every department of life in the Yukon the mounted policeman and his officer has been an invaluable help. I believe that even with the increased allowance the government is now giving men in the Yukon, their remuneration is not sufficient. In section 2 of the Act to amend the Northwest Mounted Police Act passed this session there is the following provision:

Mr. THOMPSON.

The Governor in Council may authorize extra pay and allowances to be paid to members of the force serving in the Yukon Territory, or the unorganized portions of the Northwest Territories.

I hope the Prime Minister under whose direction the force is, will avail himself of this power given in the law and authorize extra pay and allowance to the men serving in the Yukon territory. I may mention that two or three years ago a committee of the United States Senate was delegated to visit the Yukon and Alaska so that they might compare the conditions which existed in both Territories, with instructions to report back to the United States Senate on the conditions existing. These gentlemen came to the Yukon ; they were entertained by the people of the Yukon and taken over that territory to some considerable extent. What struck them as being most valuable in the governing of a frontier country, for the administration of justice, for the collection of customs and for everything that tends to advance civilization and preserve order, was the organization and the efficiency of this mounted police force of ours. So great was the impression made upon the minds of that committee of the United States Senate, that in their report, if they did not absolutely advocate the establishment of a similar force in Alaska they recommended it very strongly, and they were good enough to say that our mounted force policed that territory better than any section of the United States is policed by any force in that country. In the district of Alaska the United States had been trying to do the police work by regular soldiers; posts had been established along the Yukon river and along the southeast coast of Alaska making one continuous chain connected by telegraph and cable round the whole district. But these were regular soldiers and they did not understand police work, and the contrast afforded by the mounted police in Canada gave to the Senate committee a very striking illustration of the two methods so that in their report to the United States Senate they were loud in their praises of our mounted police and recommended the establishment of a similar force in Alaska. All Americans who pass back and forth from the Yukon to Alaska are loud in their praises of our police, and in their comparisons they say that the order kept in the Yukon is much superior to the order kept in Alaska, as it ought to be, because we in Canada will not stand for anything but the very best of order even if it is on the very utmost limits of our territory. Let me mention another incident. Last year it became necessary to establish communication between Dawson and the Arctic ocean, some 400 or 500 miles away. There is a sealing station at Herschell Island where, in the absence of customs officials, smuggling was being carried on, and a line of communication had to be established with that

post. What happened ? In the depth of winter a squad of our policemen left Dawson with dog teams and travelled through an absolute wilderness for four or five hundred miles. Mr. Chairman, I venture to say that there is not a man in this House who would duplicate that trip no matter how much money was offered to induce him to do so. In the dead of winter, through an absolute wilderness, they struck due north 400 or 500 miles with their dog teams carrying food for themselves and their dogs, made the Arctic, established communication and came back safely. These men in the Yukon are doing a work which the people of Canada do not appreciate and for which the government of Canada should pay them more than even this new law provides.

Sir WILFRID LAURIER. I am very glad to hear the high character given the force by such a competent authority as my hon. friend (Mr. Thompson). It is not new to hear good things said of the Northwest Mounted Police ; we always expect to hear them, but from one who can speak with such authority as my hon. friend (Mr. Thompson) it is all the more pleasing to hear that the Northwest Mounted Police Force have not only done their duty but indeed much more than we could expect from them. The force has merited high encomium from others than Canadians ; the following has been placed in my hand :

Judge J. W. Whitten, chief of the Law Division of the General Land Office in Washington, has completed a trip of 5,000 miles through Alaska, covering four months. In an address the other night on his tour, the judge declared that while Dawson, which is under Canadian rule, is, in his opinion, one of the best governed towns in the world, all places of business there closing from early Saturday evening until sunrise Monday morning, on the other hand, at Nome, the first American city across the boundary, the saloons and gambling houses are running in full blast on Sunday, and though he was told that the place possessed a church, he saw no evidence of it.

Parliament has granted us power to increase the pay of the Northwest Mounted Police in the Yukon even beyond what we are paying the force in the Northwest Territories. I do not think, however, it would be advisable to take advantage of this power immediately. The Act providing for this increased pay for the force comes into operation on the first of this month, and we will have to watch for some time how the matter will work before we can give consideration to the suggestions of my hon. friend (Mr. Thompson). I may say, however, that the question is one that ought to be carefully considered at the proper time.

Mr. R. L. BORDEN. The Northwest Mounted Police is a force of which all Canadians are proud. I agree with what has been said as to the importance of their services to the administration of justice in our western country. That has been universally recognized. Those men have done a great deal of very good work in covering enormous areas of our country and in enforcing order and good government therein. We are all very pleased to unite in this appreciation of their services. Might I ask the Prime Minister to state where they are stationed in the Yukon territory.

Sir WILFRID LAURIER. There is a chief station at Dawson with eighty-three men and twenty-two horses, and there are the following substations containing two, three and four men each :

B—Dawson, Fortymile, Indian River, Ogilvie, Stewart River, Stewart Crossing, Halfway, Selwyn, Selkirk, Minto, Grand Forks, Dominion, Hunker, Sulphur, Gold Run, Grand Valley, McQuesten, Mayo, Town Station, Miller Creek, Steamer 'Vidette.'

Then there is another chief station at Whitehorse containing sixty-six men and the following substations with from two to four men each :—H—Whitehorse, Dalton Trail, White Pass, Carcross, Tagish, Tahkini, Braeburn, Hootalinqua, Livingstone Creek, Tanaalus, Yukon Crossing, Champagne Landing, Big Salmon, Lower Labarge, Pine Creek, Kloo Lake, Bullion Creek, Town Station.

Mr. SAM. HUGHES. I have repeatedly drawn the attention of this government and of previous governments to the fact that the Northwest Mounted Policemen who took part in the Northwest Rebellion of 1885, alone of all those who served the country then, are denied their scrip. When the Conservative government was in power I was never able to see any reason, nor have I been able to see any reason since the Liberals came to power, why scrip should not have been issued to these men, the same as to volunteers, teamsters and all others who took part in the suppression of the rebellion. Now that the Prime Minister is in such a congenial frame of mind towards the Northwest Mounted Police, I would avail of the opportunity to impress on him the advisability of giving scrip to these men, or to the families of those who have since died. They fought for their country bravely in that rebellion and the country should tender them this recognition of their splendid services.

Sir WILFRID LAURIER. I would be the first to agree with my hon. friend as to the character of the service rendered by the force in 1885 ; that is admitted by everybody. The government of that day had the claim of the Northwest Mounted Police referred to a board of inquiry and investigated ; and, if I remember rightly, for reasons which they considered sufficient, they refused to entertain the claim. When this government came into office, some ten years afterwards, we did not think it would be advisable to re-open a question which had

been settled by the previous government, not hastily, but after due consideration. I understand that the reason which actuated the government was that the police were employed for duty in the Northwest, whereas the militia had to leave their usual vocations to perform the onerous duty of defending the country.

Mr. SAM. HUGHES. I have always understood that to be the reason, but the same reason would hold good with reference to the men of the permanent militia force, who were held to go anywhere that their duties might call them. I never could see why the Mounted Police were denied the scrip and the permanent force given it. The police are a lot of deserving men who, in their faithful and judicious services in preserving law and order, saved the country many times more than the cost of a few hundreds or thousands of acres of land that it would be necessary to give them in scrip. I know that in some cases it would be a great boon to the families of old policemen to be given that scrip in order that they might take up land and settle on it. Will the First Minister look into the matter ?

Sir WILFRID LAURIER. I am sorry to say that I do not think it will be at all advisable to re-open that question, which was considered with great care by the previous administration immediately after the close of the rebellion.

Mr. HERRON. I am sorry that the government take the stand that the question should not be reconsidered. I can back up what has been said by the hon. member for Victoria and Haliburton (Mr. Sam. Hughes) with reference to these men. Many of them are settlers in the country, and they think they are entitled to something in the way of compensation for their services in the rebellion. I can see no reason why they are not as much entitled to scrip as the men who served in the militia, or the permanent force or the volunteer force. I hope the government will not take a decided stand against giving the matter their further consideration. I would like to say a word with reference to the service the Mounted Police are rendering in the southern country. It is not new for us to realize that that country is thoroughly well guarded by the Mounted Police, perhaps better than any other country similarly situated has ever been. I would like to draw the attention of the government to some raids that occurred along the boundary line about three years ago, when there was considerable horse-stealing done. The Mounted Police did all they could in the matter, but I think something should be done along the lines of secret service, and I would like to have an opportunity of making some private suggestions to the Prime Minister, who, I understand, is at the head of that department.

Sir WILFRID LAURIER. I shall be very happy to receive suggestions from my hon. friend in reference to that matter.

Mr. M. S. McCARTHY. I understood the right hon. First Minister to say that whilst he appreciated the fact that the Northwest Mounted Police, who assisted in the Northwest rebellion, were perhaps entitled to some recognition along with the members of the militia, that recognition was prevented by the fact that they enlisted for service in that country. If there is any great anxiety on the part of the government to show recognition to these men, there are a large number of them who, though they enlisted for service in that country, assisted the militia in South Africa, and a demand has been made by these men that they should be treated by this government in the same way as other volunteers who went to South Africa. There are a number of other men in the Northwest who enlisted for service in South Africa and who have received no recognition from this government, because this government own the land, whereas those who went from the province of British Columbia and the province of Ontario have received recognition at the hands of the provincial governments. It is a matter of considerable wonderment to these men why such efforts are put forth to bring certain classes of settlers into the country when they are not given any land and are not allowed to buy an acre of land, although they assisted in the defence of the empire in South Africa.

Sir WILFRID LAURIER. There is no connection between the two questions to which my hon. friend refers. The question of giving land to those who served in South Africa has been brought to the attention of the government. But these matters grow. We have also received applications on behalf of those who served in the Fenian raids. Some of these went to the front and endured hardships, while others were not called on for any special duty, so that the work of discriminating is a matter of some nicety. Whether scrip should be given to all or whether there should be a scale of concessions is a question that must be considered before the government can come to any conclusion.

Mr. SAM. HUGHES. When I drew the attention of the government to this matter on two or three former occasions, the right hon. the First Minister pointed out that the province of Ontario was giving to her sons who fought grants of land, and added that the time would come when the Northwest Territories would be erected into provinces, and these could then recognize their sons. As the right hon. gentleman has not seen fit to give the new provinces the control of their lands, his former argument falls to the ground. I think, therefore, that my

hon. friend from Calgary (Mr. M. S. McCarthy) is amply justified in reminding him that the men from the new provinces who fought in South Africa are entitled to grants of land for their services, and I trust that he will see his way clear, in view of the fact that this government retains control of the lands, to give scrip to every man who fought in South Africa.

Explorations and surveys, printing and publishing reports, maps, &c., wages of assistant explorers, draughtsmen, clerks and others, purchase of specimens, books, instruments, stationery, mapping materials, maintenance of museum, laboratory apparatus, chemicals, miscellaneous expenses, &c., advances to explorers, $60,000.

Mr. OLIVER. During the season of 1904, there were twenty-five parties in the field, and it is proposed to send out twenty-five exploratory parties in 1905.

Mr. R. L. BORDEN. Are there any special results, the hon. minister desires to mention ?

Mr. OLIVER. They are the ordinary explorations. Immediate results are not looked for from the explorations of the Geological Survey. They lay the basis for future explorations and examination. The report of last year is now being bound and will be published in a short time.

Mr. W. F. MACLEAN. Does the hon. minister know how much the United States are spending annually on the same survey ?

Mr. OLIVER. They are spending a million and a half dollars on geological exploration.

Mr. W. F. MACLEAN. And increasing it every year.

Mr. SAM. HUGHES. Has there been a geological exploration of the region now opened up in north Ontario where cobalt deposits are supposed to be so profuse ?

Mr. OLIVER. That country has been under geological exploration many years, the work having been begun under the supervision of the late Sir William Logan. Parties were working from time to time, from that time forward. Last year a party was at work in the Temagami and Temiscaming districts.

For special explorations and surveys in British Columbia and the Yukon, and the publication of reports and maps thereon, $19,000.

Mr. OLIVER. $18,516 of the appropriation of $19,000 voted in 1904-5 for geological work in the Yukon and British Columbia has been expended as follows :

Cost of explorations, season 1904—	
Dr. Ellis, British Columbia.. ..	$ 834 30
R. G. McConnell, Yukon..	3,174 92
Joseph Keele, Yukon..	1,883 64
R. W. Brock, British Columbia.. ..	1,393 50
Wages F. H. Maclaren to 1st May..	532 50
Instruments..	1,024 14
Freight charges and duck for boxes	23 51
Micro—sections, Yukon rocks	$ 26 75
Coteau place..	46 24
Advances to explorers on account of season's work, 1904..	9,576 50
	18,516 00

Leaving a balance of $516 which will be expended in replacing instruments, &c., burned in fire at Whitehorse.

The appropriation now asked for is to cover the expenses of the following geological parties at present in the field :

Joseph Keele—investigations around the head waters of Stewart river in connection with the discoveries of gold there. (No assistant).

Charles Camsell, assisted by F. Camsell, Peel river region, coal, gold and copper.

R. G. McConnell, assisted by Mr. F. H. Maclaren, in the Whitehorse, Kluane and St. Elias range, regions. Gold and copper.

R. W. Brock, assisted by Messrs. Young, Boyd and Denny in a detained examination of the Rossland mining district, together with reconnaissance work in the Lardeau district. Gold and copper.

Dr. H. S. Poole, an examination of the Nanaimo and Comox coal field and other geological work on Vancouver Island. (No assistance).

Dr. R. W. Ellis, Nicola coal field and Queen Charlotte Island. Coal, copper, iron—assisted by Sydney Ells.

D. B. Dowling, Cascade Valley, Kananaskis and Elk river regions. Coal. (Assisted by George Malloch).

To provide for engraving, lithographing, printing, &c., and to bring out maps of work already done and for plotting and compiling of surveys, plans, maps and utilizing field-notes, &c. (salaries in excess of $500 may be paid, notwithstanding Civil Service Act), $15,000.

Mr. OLIVER. It is proposed to issue during 1905-6 the most important of the maps enumerated below. The engraving, printing, &c., is by requisition on the King's Printer. The Toronto Lithographing Company, Copp Clarke and Company and the Mortimer Company are the principal firms, as a rule, doing the work for the King's Printer.

About ten new geological sheets of Nova Scotia series (H. Fletcher and D. R. Faribault).

One geological sheet, northern Ontario series (W. McInnes).

One geological map, northwestern Ontario (W. J. Wilson).

One geological map, Bruce mines, Ontario (E. D. Ingall).

One geological map, coal fields in district ot Alberta (photo. surveys by D. B. Dowling).

One geological map, Lardo mining camps, British Columbia (photo. surveys by R. W. Brock and W. H. Boyd).

One geological map, upper waters Winisk river, Keewatin (W. McInnes).

One geological map, new explorations in

Cat lake district Keewatin (Dr. A. G. Wilson, C. Camsell and J. F. E. Johnston.)

One geological map, east coast of James Bay (O. O'Sullivan).

One geological map, Yamaska mountain Quebec (G. A. Young).

One geological map. Brome mountain, Quebec (J. A. Dresser).

One geological map, parts of Templeton and Portland townships, Ottawa county, Quebec (Prof. Haycock).

One geological map, Kluane mining district, Yukon (R. G. McConnell).

One index map of mining fields, Yukon (R. G. McConnell).

One geological eastern sheet, Dominion map (Dr. Bell).

One geological map of northern lands (A. P. Low).

One chart of northern lands (A. P. Low).

To pay for assay apparatus and chemicals, metallurgical, petrographical, library and clerical assistance (salaries greater than $500 per annum may be paid from this vote, notwithstanding anything in the Civil Service Act), $6,300.

Mr. OLIVER. To continue the work in the assay laboratory, extra chemicals, apparatus, &c., exclusive of our regular laboratory supply, will be required. The cost is estimated at $260. Mr. M. F. Connor is the assayer in charge. His employment began in September, 1903. The assistant petrographer is Mr. G. A. Young, a graduate of McGill and Harvard.

The temporary staff to be paid out of this vote is as follows:

M. F. Connor, assayer	$1,200 00
G. A. Young, assistant petrographer	1,200 00
Miss M. H. Barry, library assistant	766 50
Mrs. Jane Alexander, library assistant	821 25
Miss C. M. Alexander, library assistant	475 00
Miss M. C. Stewart, library assistant	575 00
Miss E. F. Goodman, stenographer and writer	700 00
	5,737 75

For the purchase of new books for the library, $2,700.

Mr. BLAIN. Who makes the selection of the new books?

Mr. OLIVER. The books are purchased by the acting director, Dr. Bell, and the committee on the staff of the survey. Of course the books are entirely technical and can only be selected by those who are very familiar with the work.

Surveys—examination of survey returns, printing of plans, including $13,000 for irrigation surveys, &c., $500,000.

Mr. OLIVER. The amount asked for the survey of Dominion lands for the fiscal year 1905-6 is $500,000 which is $250,000 less than the appropriation for 1904-5. The surveys made during the last two years have been so extensive that they are now well in advance of settlement and it is not considered necessary to continue surveying at the same rate; hence, the decrease in the estimated expenditure.

The subdivision surveys made in 1904 and those which it is proposed to make in 1905 compare as follows:

	1904.	1905.
Number of townships sub-divided	530	180
Area in acres of townships sub-divided	11,500,000	4,000,000
Number of townships re-surveyed	125	60
Area in acres of townships re-surveyed	2,750,000	1,300,000

Construction of fence along national boundary, Northwest Territories, $100,000.

Mr. OLIVER. I move that this vote be dropped.

Mr. BARR. You are not building a fence then?

Sir WILFRID LAURIER. Not this year.

Mr. BARR. So much saved.

Mr. HENDERSON. Is there no need of it?

Mr. OLIVER. We need the money elsewhere.

Mr. HENDERSON. No election this year?

Sir WILFRID LAURIER. No election this year.

Motion agreed to.

At six o'clock Committee took recess.

After Recess.

Committee resumed at eight o'clock.

Consolidation of Dominion statutes, which may be paid, notwithstanding anything contained in the Civil Service Act or in the Act respecting the Department of Public Printing and Stationery, $20,000.

Mr. FITZPATRICK. When this item was up for consideration before, the leader of the opposition asked for some information as to the probable date at which this revision would be completed. I hold in my hand a memorandum of the Deputy Minister of Justice dated 16th of June last, and which reads as follows:

It was anticipated at the last meeting of the Statute Revision Commission, which concluded its last session about a month ago, that the drafting of the remaining legislation up to the end of the session of 1904 would be completed and passed at the next sitting which is expected to take place about the 1st September. The draft of the Criminal Code is, I think, the only matter of any length or difficulty whatever which is not already in print, and Mr. Roscoe has agreed to have that in print and ready for consideration at the next meeting. There will then remain the legislation of this session which will have to be worked in, and the tables to be prepared. The commissioners were of the opinion that if the commissioners go about the

matter diligently the whole work of the commission should be completed by the end of the present year. I am writing to each of the commissioners urging the importance of accomplishing this. I think, in view of the assurances I have, that I can certainly answer that the work of the commission will be finished in time to admit of this.

The vote I am now asking for will make the whole expenditure to date, $57,641. The amount estimated to finish is $21,000, so that the total estimated cost will be $78,641. This estimate does not include the cost of final printing.

Mr. R. L. BORDEN. When did the commissioners begin their work of revision ?

Mr. FITZPATRICK. If they complete their work by September they will have been three years and a half at work.

Mr. R. L. BORDEN. It seems to me in view of the time that has already been occupied, we might have expected the work to be done so that we could have had it during the present session. I do not remember how long the previous revision occupied.

Mr. FITZPATRICK. Over five years. The work began in 1881. I find the first payment was made to the Hon. Jas. Cockburn, commissioner, in 1881-2 ; and the work continued on down to 1887-8.

Mr. R. L. BORDEN. The minister must have the exact dates, but my recollection is that the commission were actually at work a very much less time than that.

Mr. FITZPATRICK. The reference I have is taken from the public accounts. In the year 1881-2, provision was made for the payment of the Hon. Mr. Cockburn, commissioner, and again in 1882-3, then the regular payments began on August 14, 1883.

Mr. LENNOX. Speaking of the revision of the statutes, I would like to mention a matter which perhaps does not come under the jurisdiction of the Minister of Justice, but this affords me an opportunity of doing so. I refer to the indexing of the statutes in the library, or rather keeping them annotated up to date. Those statutes are almost useless in their present condition. You have to gather from year to year all the changes and amendments, and it is almost impossible when a question comes up in the House, to ascertain within half an hour what the law is. It does appear to me that there should be in the library officials quite competent to do that kind of work, and if they are I think they should do it ; if they are not, it would be well to employ some one competent to do that kind of work and keep the library up to date in that respect.

Mr. FITZPATRICK. This is a matter that properly comes under the consideration of the Library Committee. But I think the time is opportune to draw attention to the fact that our House of Commons library, so far as legal works are concerned, is very defective. In fact some of the works there are becoming obsolete. The impression appears to have gained ground that since the Supreme Court has been established and we have a Supreme Court library, we must depend upon the latter. I recognize the necessity of providing for some one to annotate the statutes so as to keep them up to date.

Mr. LENNOX. I note what the Minister of Justice says about the books. When you go into the library and do not find the books, you have to go down to the Supreme Court, and you have not been there more than half an hour perhaps before the court is closed and you have to get out.

Mr. R. L. BORDEN. The law department of the library deserves a little more attention than it has been receiving. I have had some difficulty myself in endeavouring to examine legal questions in connection with matters that come up in the House. There is a difficulty now and then in not being able to obtain in this library the books that are necessary for your purpose. I quite understand why those in charge of this matter would desire to curtail the legal department of the library as much as possible, because there is a great lack of room, not only for law books but for others, and that is a matter that will have to engage the attention of the government and of parliament before long. But apart from any difficulty of that kind, I agree entirely with what the Minister of Justice has said as to the necessity of keeping up the law department in the library, because we have almost as much occasion for research of that kind in parliament as those who are engaged in the work of the Supreme Court.

Some resolutions reported.

INSPECTION OF WATER METERS.

House went into committee to consider the following proposed resolution.

Resolved, That it is expedient to provide for the inspection of water meters, and to authorize the Governor in Council to fix the fee for such inspection.—Mr. Brodeur.

Hon. L. P. BRODEUR (Minister of Inland Revenue). This resolution is designed to prepare the way for the inspection of water meters in the same way as gas meters and water meters are now inspected. The rates are to be fixed by the Governor in Council. The intention of the department is to provide that the fees shall be about the same as gas meters, ranging from 75 cents to $6.

Mr. R. L. BORDEN. Is it compulsory or optional ?

Mr. BRODEUR. It is compulsory.

Mr. R. L. BORDEN. Have any representations been made to the department as to the necessity for this inspection ?

Mr. BRODEUR. Yes. For several years representations have been made to the department asking us to provide for the inspection of water meters. However, there has not been so much necessity for the inspection of water meters, as perhaps for the inspection of gas meters and electric meters, because, in most cases water is supplied by municipalities and at a flat rate.

Mr. R. L. BORDEN. What expenditure will it involve ?

Mr. BRODEUR. I intend to ask in the supplementary estimates for a vote of $1,000 for this service; and we expect that the fees collected will be more than sufficient to meet this small expense.

Mr. R. L. BORDEN. Will it involve the appointment of additional officials, or will those in the department be sufficient ?

Mr. BRODEUR. The intention is, as the Bill will provide, that the inspection shall be made by the officers of the Inland Revenue Department.

Mr. R. L. BORDEN. The present officers ?

Mr. BRODEUR. The present officers.

Mr. URIAH WILSON. Will this interfere with a person making a flat rate for supply of water ?

Mr. BRODEUR. No. It will only provide that where meters are used, those meters must be inspected.

Mr. URIAH WILSON. Has it to do with anything except the quantity of the water ? Has it anything to do with the quality ?

Mr. BRODEUR. No. simply the quantity.

Mr. URIAH WILSON. Because, the water supplied in our town is fit only for laundry purposes. I understand that it will still be optional with people to buy their water at a flat rate ?

Mr. BRODEUR. Yes. This is simply to provide for the inspection of the meter where payment is made according to the amount supplied as shown by meter.

Mr. LENNOX. The minister says that the charge will be from 75 cents to $6. Could he explain that more definitely ? I suppose the higher charge will be in the case of a factory or large establishment ?

Mr. BRODEUR. Generally large establishments make contracts for supply of water at a fixed rate for a certain time. In some municipalities the water is supplied through meters, and this is to provide that the meters shall be inspected; but it will not interfere with those who desire to make contracts for water supply otherwise than by meter.

Mr. BRODEUR.

Mr. LENNOX. Who will pay the fee—the person supplying the water, or the purchaser ?

Mr. BRODEUR. When a meter is manufactured, it will have to be inspected before it is used. Therefore the fee will have to be paid by the manufacturer.

Mr. LENNOX. That is, according to the theory of hon. gentlemen opposite it would be paid ultimately by the consumer. But what I am trying to get at is in what cases the charge will be 75 cents, and in what cases it will be $6. I can understand that it would depend upon the capacity of the meter, but that does not indicate very clearly how this expense is to bear upon the public. Whether it is in the form of an expenditure through the department or in the form of fees paid for this service, the burden will rest upon the public; and we ought to know how that tax will be borne. For instance, what will the expense be in the case of the ordinary householder ?

Mr. BRODEUR. About 75 cents every five years. So my hon. friend (Mr. Lennox) will see that it is not a very heavy tax. And this inspection is for the protection of the public.

Mr. BLAIN. Are the meters to be inspected once every five years ?

Mr. BRODEUR. Yes, as in the case of gas and electric meters.

Mr. TAYLOR. They will be inspected oftener, I suppose, if the consumer thinks the meter is not running fairly and wants it inspected again ?

Mr. BRODEUR. The Bill will provide for that. The consumer can have his meter inspected by the inspector of the district in which he resides.

Resolution reported, read the second time and agreed to.

Mr. BRODEUR moved for leave to introduce Bill (No. 188) respecting the inspection of water meters.

Motion agreed to, and Bill read the first time.

INLAND REVENUE ACT AMENDMENT.

Bill (No. 176) to amend the Inland Revenue Act—Mr. Brodeur—read the second time and House went into committee thereon.

On section 1,

Mr. BRODEUR. This is a mere verbal change in the old Act and it is to make legal a practice in the department about which there was a little doubt in the law.

On section 2,

Mr. BRODEUR. Under the existing law licensees of the department can furnish bonds by guarantee companies or by private

individuals. This amendment provides that licensees will be obliged to furnish bonds by guarantee companies which is a preferable system.

Mr R. L. BORDEN. I have no doubt that this Bill is carefully drafted, but it would appear that something is omitted. You seem to take it for granted that a guarantee company can give security.

Mr. BRODEUR. Section 19 of the old law provided that the department would have power to accept the bonds of guarantee companies, and section 13 provided that security might be given by private persons. We have amended all the sections of the law bearing on securities so that in future the bonds must be given by guarantee companies alone.

Mr. LENNOX. I presume the government has considered the advisability of making this change and doing away with securities given by private persons?

Mr. BRODEUR. Yes.

Mr. LENNOX. What is the reason ?

Mr. BRODEUR. My hon. friend will understand how difficult it is for the department to find out whether a person who is offered as surety is solvent or not. This leads to a great deal of correspondence and difficulty, and the result is sometimes to put the department in a very awkward position. The guarantee companies offer a better security in every respect than personal sureties.

Mr. LENNOX. It makes business for the guarantee companies; but all the same, I am inclined to think that it is an improvement, because, as the minister says, it is sometimes difficult to ascertain the solvency of the personal security, while this makes the security absolutely sure, I presume.

On section 6—security to be given before bonding warehouse is licensed—

Mr. BRODEUR. The only change in this clause is to provide that the security shall be by bond of a guarantee company approved by the department.

Mr. HENDERSON. May I ask if the losses of forfeitures under these bonds amount to very much, or are they only trifling ?

Mr. BRODEUR. For some years, I am advised by the deputy minister, there have not been any great losses, but in former years some heavy losses were incurred.

Mr. HENDERSON. Has the government taken into consideration the question as to whether it would be profitable for the government to bond these people themselves, and take the fee that would otherwise accrue to the guarantee company ? Possibly there might be a saving to the country.

Mr. BRODEUR. You mean to make our own guarantee business.

Mr. HENDERSON. Let the government guarantee these various persons and collect the same fees that would be paid to a guarantee company. At the end of a few years the government would have saved a considerable sum. I understand this system prevails in the Post Office Department and works there satisfactorily.

Mr. BARKER. I do not quite agree with my hon. friend in that respect. I fear that where losses occur without security to the government, the government would be importuned by friends of the defaulters to overlook the offence ; but when the government collects from the guarantee company, the company collect from the individual. I am not at all sure of the illustration my hon. friend has given as the very best. We have had lately one or two instances in connection with the Post Office Department in which the government has been very lenient indeed to the officers in default. Had there been a guarantee company, as surety, the government would have collected the money, and the guarantee company would have looked after the officers.

Mr. BRODEUR. As to the special bond the licensees have to give, the guaranty given by the guarantee companies would be very much better than if the department assumed the risk itself and collected the fees. True we have not been losing much money these late years but it would be a dangerous policy to adopt. In some cases these bonds are for a very large amount. Some of the licensees have to obtain a guarantee for half a million dollars.

Mr. HENDERSON. The government does not insure its own property against fire.

Mr. BRODEUR. We control that to a certain extent.

Mr. HENDERSON. I understand it works satisfactorily in the Post Office Department, but the minister does not seem to agree with his colleagues on this question.

On section 8,

Mr. BRODEUR. The system of gauging has been done away with and replaced by a system of weighing, which is found more accurate. This clause simply provides that the quantity of spirits shall be determined by weight instead of by gauging.

On sections 13, 14 15 and 16,

Mr. BRODEUR. These are all to provide for the substitution of guarantee companies for the present bondsmen.

On section 17,

Mr. BRODEUR. The original Act provided that the quantity of grain should be stated in pounds and malt measure. We now substitute for the malt measure the

cubic inches. That is the usual way of determining the weight.

On section 18,

Mr. BRODEUR. It has been represented to the department by some malt manufacturers that hours of work were too short. The old Act provided from 8 in the morning until 5 in the afternoon. We now provide that labour may be carried on from 7 in the morning until 6 in the evening. It is at the request of malt manufacturers.

Mr. BARKER. This affects only the government employees I suppose ?

Mr. BRODEUR. They cannot work unless the official is there.

Mr. LENNOX. It becomes the duty of the official to be there for a longer time, that is all ?

Mr. BRODEUR. Yes.

On section 20,

Mr. BRODEUR. This is only a verbal change providing for the substitution of the word 'initials' for the word 'signatures.' The last words of the original section read :

Such person shall also attest the correctness of the entry by his signature.

On section 21,

Mr. BRODEUR. This is because the malt measure has been replaced by the cubic inches.

On section 22,

Mr. BRODEUR. This is made necessary by the substitution of the guarantee companies for the bondsmen.

On section 23,

Mr. BRODEUR. The only change here is in section 1. It has been represented to the department that we could make methylated spirits not only with wood naphtha but also with some other articles. If such a system could be provided it would be cheaper than what we have to-day, and we simply take the power to use some other renaturalized spirit, than the one used to-day.

On section 24,

Mr. BRODEUR. This is simply a verbal change in the section.

On section 25,

Mr. W. F. MACLEAN. Does the minister know that there has been a commission appointed in England to inquire into the use of alcohol in the arts, and into the manner of making it in the cheapest form, so that it may take the place of gasoline, and that everything in that direction is an encouragement to develop engines to take the place of steam engines ?

Mr. BRODEUR. Yes ; the department is watching those developments very closely.

Mr. W. F. MACLEAN. At present the Americans have control of the supply of gasoline practically for the world. If alcohol can be made cheaply, and all the investigations go to show that it can be made cheaply, it is the coming material for use in these new engines ; and if it is found that alcohol can displace gasoline, it ought to be made as cheaply as possible. I hope that the minister will keep that in view in framing his legislation.

Mr. BRODEUR. That is the reason why, in section 23 of the Bill, we have provided that if any other means can be found of denaturizing spirits we would be willing to accept it. So far we have nothing better to offer than the methylated spirits.

Mr. GALLIHER. Before passing from these sections that deal with spirits, I would like to ask the Minister of Inland Revenue if there is any minimum age limit under which spirits of different kinds come into Canada ?

Mr. BRODEUR. There is no age limit regarding imported spirits ; there is with regard to our own spirits.

Mr. GALLIHER. As I understand it, a distiller in Canada cannot place upon the market any of his products until it has been two years distilled or in bond. The Canadian distiller is under that restriction. Now, we can get in Scotch whisky, or what passes for such—some of it is all right and some of it is not—we can get in Scotch whisky, or Irish whisky, or any other kind, from foreign countries, that may not be a month old when it is brought in. Has the minister ever considered the advisability of imposing upon importers of spirits from outside countries the duty of showing to the satisfaction of the government that these liquors have been distilled as long a time as is required of the Canadian liquors ?

Mr. BRODEUR. I may say to my hon. friend that this question does not pertain to the department of which I have the honour to be the head ; it is a question to be dealt with by the Customs Department. In our department we simply take knowledge of the spirits which are manufactured under control of the department ; that is to say, spirits manufactured in this country. There is much to be said in favour of the contention of my hon. friend, that foreign spirits should be put on the same footing as our Canadian products. That is a question which I will be glad to bring to the attention of the Minister of Customs.

Mr. W. F. MACLEAN. Is it not a fact that spirits have been brought into Canada from the United States that have not been aged to the required period, and have been bottled here in Canada and have the inland revenue label put upon them, which would appear to guarantee their age, when, as a matter of fact, these spirits have not been aged as the law requires ?

Mr. BRODEUR. That has not been done so far as we are aware, and indeed I am informed by the deputy that it would be impossible.

Mr. FIELDING. My hon. friend from Kootenay (Mr. Galliher) appears to regard the two years' restriction as a burden upon the Canadian distiller to which the foreign distiller is not subjected. I think if he makes inquiries he will discover that the Canadian distiller would not regard it as a burden, but rather as an advantage.

Mr. GALLIHER. If there is any advantage in keeping liquor in bond for two years, our people should get the benefit of it.

Mr. HENDERSON. No doubt the distiller regards it as an advantage, because, to my mind, that is the very highest form of protection, inasmuch as it prevents new distilleries from being opened up.

Mr. BARR. It seems to me there is a good deal to be said in favour of the proposition of the hon. member for Kootenay (Mr. Galliher). It does seem to me to be a hardship and injustice. When importers bring in Scotch whisky in any quantity and sell it, certainly they have an advantage over the Canadian distiller, and importers do bring in Scotch whisky and sell it at less than the Canadian manufacturer can sell it.

Mr. BRODEUR. I suppose the foreign manufacturer is apprised of what is going on in this country, and will consume larger quantities of our own spirits on account of their superior excellence. Because I think it has been kept in bond two years, and in some cases seven or eight, or ten years, kept in wooden barrels so as to improve greatly the quality of the spirits. That is a reason, I think, why some of our spirits now are getting a reputation abroad.

Mr. W. F. MACLEAN. What do the Canadian distillers do with the large quantity of American spirits that are brought into this country of late? I have been given to understand that the native product has not been sufficient for their trade. and they have been importing largely of American spirits. I want to know what is done by the Canadian distiller with these spirits that they import from the United States.

Mr. BRODEUR. I am not aware that our distillers have been importing spirits from abroad. But they can if they please, because to-day every man in the country has a right to import spirits from any foreign country, whether those spirits have been manufactured for a year or for a longer period.

Mr. W. F. MACLEAN. But cannot that spirit, in some way, come within the jurisdiction, so to speak, of the Inland Revenue Department? It comes through the customs, but the Inland Revenue Department makes provision that all spirits in this country bottled by Canadian distilleries shall have the quality of age. What I want to get at is whether or not a large quantity of spirits has been imported from the United States and has gone out as the product of Canadian distilleries though it has not the quality of age.

Mr. FIELDING. What inducement would there be to do that? For they would have to pay the custom duty.

Mr. W. F. MACLEAN. Because the Canadian distilleries have not been able to make enough spirits for their own trade. I would like the Minister of Customs to throw some light upon this question. I am told that there have been enormous importations of American spirits into this country. There is a big concern, with its headquarters in Toronto and made up of all the distilleries of the country; and this concern has made these enormous importations.

Mr. BRODEUR. Why should they be prevented from importing?

Mr. W. F. MACLEAN. I have heard it stated that this whisky is labelled Canadian whisky, which is supposed to have an age of two years. Yet it is new spirits. I am asking the Minister of Inland Revenue, who ought to know, what becomes of these large importations of American spirits. Does he know of this association of Canadian distillers which is making these importations?

Mr. BRODEUR. I must tell my hon. friend (Mr. W. F. Maclean), for perhaps he is not aware of it, that all the spirits made here bear on the bottles the certificate of the age at which it is bottled. This certificate bears the signature of the officers of the department. Any persons importing spirits cannot use these labels. Therefore, it could not be sold as Canadian spirits, for if that were attempted the fraud would be detected.

Mr. W. F. MACLEAN. Well, then, my question still stands—does the minister know of these large importations and what is done with them?

Mr. BRODEUR. We have no means of ascertaining.

Mr. W. F. MACLEAN. In justice to the Canadian Inland Revenue Department, I say the minister ought to know what is done with these large importations of American spirits into this country. He might ask his colleague the Minister of Customs what are done with these importations.

Mr. BRODEUR. The Department of Inland Revenue has to look after the collection of duties on spirits manufactured here. We are not concerned about the importations of foreign spirits.

Mr. W. F. MACLEAN. But suppose that the minister heard—I do not know that the

thing would happen, but I have heard it stated—that this American spirit is put under the protection, so to speak, of the Inland Revenue Department certificate, so that people think that they are getting an aged product when they are not.

Mr. BRODEUR. That does not come under the control of the Department of Inland Revenue. They could not use our labels for that product, and there would be nothing from the department to indicate that this was Canadian spirits.

Mr. W. F. MACLEAN. I would put it another way. There is a large demand for Canadian whisky, not only inside, but outside of Canada. All the whisky coming from Canada is aged. Now, what would the minister say if it should be shown that it was possible for Canadian distillers to put out whisky which has not been aged ? If that were done, of course purchasers would be deceived.

Mr. FIELDING. It could not be done without somebody deliberately labelling it as something better than it is. The Inland Revenue Department can only deal with the distillers. Unless this foreign spirit passes through the Canadian distillers and is sent out as Canadian whisky, that grievance would not arise.

Mr. W. F. MACLEAN. It could not be done under the regulations. But what I am told is that it is being done—that American spirits are brought in, the customs duty paid on them even though it is greater than the inland revenue duty—and sent out as Canadian aged spirit. And why the custom duty should be larger than the inland revenue duty, I have never seen explained. I would like the Minister of Finance (Mr. Fielding), now that he has taken an interest in this thing, to explain why the Canadian distiller has that great advantage ? And who gets the benefit of it ? The consumer of Canadian whisky does not get it, for he has to pay as much for the Canadian as for the imported article. But, as I am informed though the Canadian distillers are charged less duty on their products than on importations they still import American spirit. What do they do with it ?

Mr. FIELDING. We might have expected such a speech as that we have just heard from any other member of the House, but I did not think that my hon. friend from South York (Mr. W. F. Maclean) would have attacked the protection given to the Canadian distillers.

Mr. W. F. MACLEAN. I am not attacking the protection given. I simply want to know the reason for it.

Mr. BARKER. I think we ought to have, if not from the Minister of Inland Revenue, certainly from the government, an explanation of the point put by my hon. friend (Mr. W. F. Maclean). If I understand him, Canadian whisky has to remain a certain number of years, and then must pay the inland revenue tax. But this other whisky is coming in that may not be a year old, and though it may pay more in customs tax, on the whole it may be able to undersell the Canadian product. This is the point to which I understand the hon. gentleman called attention. How is it that American whisky is being brought in here, paying a higher customs duty as against the inland revenue whisky—if I may so call it—which has to be kept two years?

Mr. FIELDING. There has been no change in this respect for many a year. I think that the Canadian distiller, far from regarding this restriction as a burden, regards it as a substantial advantage to him as guaranteeing the quality of the Canadian spirit.

Mr. BARKER. As between the several Canadian producers of Canadian whisky, but that is not the point.

Mr. FIELDING. There is nothing in the regulations now that has not been there since long before any of the present members of the cabinet took office. As I have said, I think the Canadian distiller regards this restriction as a decided advantage to him. Of course, we are somewhat at a disadvantage in discussing this matter because none of us in this House are consumers of these articles and are unable to understand the value of goods of that character.

Mr. W. F. MACLEAN. From the point of view of the revenue it would be better that the whisky brought into Canada should be imported, because the customs duty is larger than the inland revenue duty. But I would again suggest to the Minister of Finance that he should consult with the Minister of Customs and the Minister of Inland Revenue, and I think they would find a new condition of affairs existing which will repay their investigation. It may be that a change in the law is necessary.

On section 26,

Paragraph (g) of section 247 of the principal Act, as the said paragraph is enacted by section 13 of chapter 15 of the statutes of 1889, is repealed and the following substituted therefor : (g) The expression 'caution label' means and includes the notice required by the provisions of this Act to be attached to certain packages hereinafter described, containing manufactured tobacco or cigars.

Mr. BRODEUR. The only change there is to add the word 'manufactured' before the word 'tobacco.' First the label was simply with regard to tobacco or cigars, but as we have no control over raw leaf tobacco, it was considered advisable to have the word 'manufactured' added, as we have control over manufactured tobacco.

Mr. BARKER. Has that construction ever been disputed by the manufacturers?

Mr. BRODEUR. No, it has always been admitted, but this is to make it clear.

Mr. GALLIHER. Will the hon. minister please give a fuller explanation as I do not understand the point. He says he has no control over raw leaf tobacco.

Mr. BRODEUR. We have control over the imported raw leaf, which pays a customs duty of 10 cents per pound, and afterwards pays excise duty, but we have no control over the ordinary Canadian raw leaf.

Mr. W. F. MACLEAN. The Minister of Inland Revenue is in favour of the gradual adoption of the decimal system, and I know of no way in which it could be adopted so effectively and so easily as in connection with the working of his department. I would suggest that the minister should try the system in his department in connection with the collection of duties on excisable articles.

Mr. BRODEUR. The metric system is making a great deal of progress in public favour, and we may expect before long that it will be adopted in Canada. We are educating the people, and the suggestion that it should be tried in the Inland Revenue Department is a good one.

Mr. HENDERSON. In reference to this inland revenue law and the amendments that we have passed, will the commissioners for the consolidation of the statutes take these amendments into the consolidation and present the Inland Revenue Act to us in the form of one complete Act?

Mr. BRODEUR. Yes. When the law is consolidated it will contain the changes which have been adopted to-night.

Mr. HENDERSON. And an entirely new Act will be presented?

Mr. BRODEUR. Yes.

Mr. HENDERSON. That will be more convenient than if we had the Act in one place and the amendment to it in another.

Bill reported, read a third time and passed.

NATURALIZATION ACTS—AMENDMENT.

Bill (No. 184) to amend the Acts respecting Naturalization and Aliens—Mr. Fitzpatrick—read the second time and the House went into committee thereon.

Mr. FITZPATRICK. This applies particularly to the Northwest Territories. The existing law provides that aliens must go to a judge of the Supreme Court and have the certificate posted up in the place where the judge holds his court. The amendment provides that the name may be posted up in any subdistrict when under an ordinance of the Northwest Territories the judicial district is subdivided.

Mr. BARKER. The gentlemen from the Northwest are not here; perhaps we should let it stand.

Mr. FITZPATRICK. Very well.

Progress reported.

THE CITY OF OTTAWA ACT—AMENDMENT.

Bill (No. 180) further to amend the Act of 1899 respecting the city of Ottawa (Mr. Fielding) was read the second time, and House went into committee thereon.

On section 1,

Mr. FIELDING. This is a Bill from the Senate for the purpose of amending the Act respecting the Ottawa Improvement Commission. Its purpose is to allow the commissioners by by-law to impose penalties—the penalties are blank, but we propose to insert not exceeding $50, or imprisonment not exceeding three months—upon persons who may violate the by-law. The special purpose is to enable the commissioners to protect and preserve the improvements which they may make. It is purely technical, but I am sure it is an object which will commend itself to the committee.

Sections 1 and 2 agreed to.

Mr. FIELDING. I want to suggest another clause. At an earlier stage of this session attention was directed to the fact that there is no provision for a report from the commission. The commissioners make returns of their expenditures, which are properly audited, and as to which we receive all necessary information in the Auditor General's Report. But I think it is right that the commissioners should make an annual report of their operations. I propose therefore to insert a clause which provides that the first report for the year ending June 30, 1905, shall deal not only with the affairs of the year, but with all the work that they have been doing up to date, and that thereafter they shall make an annual report.

Mr. BLAIN. I saw in the Ottawa 'Citizen' the other day a reference to the name of Dundonald Park, with the suggestion that no further improvements would be made in that park because of the name. May I ask the minister if that article was brought to his attention, and if there can be anything in a report of that kind?

Mr. FIELDING. I know nothing of the matter more than what I saw in the paper. I would regard it as highly improbable.

Mr. BLAIN. I suppose the government would not sanction anything of that kind?

Mr. FIELDING. It would be time enough to consider that when we saw it.

Mr. BLAIN. I suppose the government might consider it worth while to make a

statement as to whether money would be voted for the improvement of the park after the name was changed.

Mr. FIELDING. If there were any proposal of that character before the government, I think my hon. friend would be quite right to ask for information concerning it; but as we have never heard of anything of the sort, and as the whole matter is left in the hands of the Ottawa Improvement Commission, I do not think there is any need of the government making any suggestion concerning it. I can tell my hon. friend that the government have made no suggestion concerning it. The commission are free to deal with that as with all other matters. Except what I have seen in the press, I have never heard of it.

Mr. BLAIN. Considerable discussion took place upon it in the city council. They regarded it, I suppose, as important, otherwise it would never have been mentioned.

Mr. E. M. MACDONALD. Does my hon. friend understand that the report in the newspaper indicated that the alderman who made the suggestion did so in a jocular manner ?

Mr. BLAIN. I did not so understand it.

Mr. BARKER. I do not think the matter was brought up in the council in a jocular manner. It seemed to be taken rather seriously by some people, and it does seem to me that the very fact that such a statement has been made should lead to some inquiry from the government as to whether there is anything in it or not. I take it that there would be some hesitation about making further contributions if it were seriously believed that such a thing could be done in Ottawa by this commission. I agree with the minister that it is not at all probable that such a thing occurred, but the fact that it has been asserted seems to me to call for some inquiry from the government if they are going to continue to make contributions.

Mr. FIELDING. All I can say is that I do not think it is the business of the government to concern itself very much with the names of these little plots of land around Ottawa, and we have not done so. The commission or the proper authorities call them by what names they see fit, and we have not interfered. I do not think it is a matter as to which we should take the initiative. If any one proposes anything objectionable, it will be time enough to do so ; but I do not think that on a mere newspaper rumour of that kind the government should enter on any investigation.

Mr. BLAIN. I have the article in my hand now. It is contained in the Ottawa 'Citizen' of Friday last, June 30. It is headed: 'What's in a name ? Is Dundonald Park a hoo-doo name ? Startling charge : Alderman Plouffe, prominent Liberal, says it prevents park being improved.' The article says :

> Has the fact of Dundonald Park being named after Lord Dundonald anything to do with the failure of the Improvement Commission to make the needed improvements ?
>
> That was the question brought up at a meeting yesterday of the board of works.
>
> 'I think we had better change the name of Dundonald Park to Somerset Park,' said Alderman Rosenthal, 'unless this is done, I don't believe the commission will ever do anything with the park.'
>
> 'That's right,' said Alderman Plouffe.
>
> 'I don't think that that is the reason why nothing has been done,' stated Alderman Davidson ; 'if it is, however, I may state that the name won't be changed.'
>
> 'Then no improvements will be made,' asserted Alderman Plouffe.

Mr. FIELDING. I think I will leave these aldermen to settle it among themselves. They appear to know all about it.

Mr. BLAIN. As the government is contributing a large amount towards the improvement of Ottawa city to-day, to which I personally offer no objection, I think it should make a statement when an important matter of this kind is brought up in the city council, and the aldermen say that no money will be expended on this park while this name is perpetuated. The government should say that, in so far as they are concerned, they will continue the appropriation of the money notwithstanding the park is called the Dundonald park.

Mr. FIELDING. The government is not much concerned with regard to the names of any of the parks in the city. The commissioners have called them what they please, and I never inquired what the names were.

Mr. BARKER. The charge is that money which the government is contributing will not be used as it ought to be because of the particular name. It is very improper that money contributed by the government should be withheld from its particular purpose for such a reason.

Mr. FIELDING. I do not know that we would undertake to oblige the commissioners to spend the money at any particular point in Ottawa. That is one of the details we have left to the commission, and I see no reason why we should depart from that rule.

Bill reported, amendments read the first and second time, and agreed to, and Bill read the third time and passed.

THE BANK ACT—AMENDMENT.

Bill (No. 181) to amend the Bank Act—Mr. Fielding—read the second time, and House went into committee thereon.

Mr. FIELDING. This is designed to remove the limitation from the number of bank directors, which at present may not exceed ten. It was proposed to leave that

to the judgment of the banks themselves, and there is also a provision that the banks may have an honorary president.

Mr. BARKER. You simply put the minimum number ?

Mr. FIELDING. Yes ; five.

Mr. W. F. MACLEAN. Has the government made any progress with reference to the proposal submitted to parliament some years ago to issue five-dollar and ten-dollar notes ?

Mr. FIELDING. There is nothing to prevent the government issuing five-dollar notes. Although the matter was talked of at one time, we have found that although the issue of four-dollar notes is not as convenient as the five-dollar bank bills, the present facilities of the bank enable them to give an ample supply of five-dollar notes.

Mr. W. F. MACLEAN. We are increasing the number of Canadian banks, and therefore augmenting the distrust shown in the United States towards Canadian money. In New York and a great many points they refuse Canadian bills, simply because of the large number of Canadian banks, and I think the time has come when there ought to be an issue of national notes of five dollars. These would pass current in any country, and would be of great advantage to travellers.

Bill reported, read the third time and passed.

NATURALIZATION ACTS—AMENDMENT.

Bill (No. 184) to amend the Acts respecting Naturalization and Aliens—Sir Wilfrid Laurier—read the second time, and House went into committee thereon.

On section 1,

Mr. FITZPATRICK. This Bill is peculiarly applicable to the Northwest Territories, and I have had a conference with my hon. friend from Calgary (Mr. M. S. McCarthy), who sees no objection to it. The object of the first section is to provide that certificates may be issued in the office of the deputy clerk where there are sub-districts and when the applicant resides in the sub-district. This will obviate the necessity of going to the court-house in a district town, which may be hundreds of miles away.

Mr. W. F. MACLEAN. Is it a fact that a man naturalized in Canada is a British subject only in Canada ?

Mr. FITZPATRICK. My hon. friend is right, and something should be done in the way of remedying that grievance. I think it will be necessary for us to make our period of residence required for naturalization correspond with that in England, and in that way we might be able to arrange with the imperial authorities so as to have a naturalization which would practically be British instead of Canadian. We are in correspondence with imperial authorities for the purpose of bringing that about.

Mr. W. F. MACLEAN. That is the very point I was going to suggest, that some negotiations should take place.

Mr. FITZPATRICK. There has been correspondence with the Colonial Secretary.

Mr. MACDONALD. I was going to ask whether or not, after all, this question of naturalization does not require some international arrangement in order to obviate the difficulty which my hon. friend from South York (Mr. Maclean) suggests, because if by the laws of a foreign country the legal principle which formerly applied to British nationality by which 'once a British subject always a British subject' applies, then no matter what our provisions in Canada might be, a person could not rid himself of his nationality in a foreign state.

Mr. FITZPATRICK. I do not think the principle laid down in the case of Eneas Macdonald ever prevailed. I think 'once a British subject always a British subject' ceased to be recognized in international law.

Mr. MACDONALD. I quite agree with that but I thought the same principle might apply to the laws of some other nation although it has been done away with as far as British law is concerned.

Mr. W. F. MACLEAN. It is worthy of consideration.

Mr. FITZPATRICK. And something ought to be done.

Mr. W. F. MACLEAN. Because we have a number of naturalized Canadians who have found out that they are not British subjects. They thought they were and it is certain that we have understood that a Canadian was a British subject. As a matter of fact a naturalized Canadian is not ; he finds difficulties in connection wiht his citizenship when he goes abroad. A German who has become naturalized in Canada on going to Germany might be called upon to perform military service. In that way if we call ourselves a nation—and as the leader of the Liberal party (Sir Wilfrid Laurier) said he had made Canada a nation, but he has not completed the job and there is something still to be done. It is more or less of a stigma and ought to be removed. I hope the Minister of Justice will follow this up and secure a remedy for what now is a grievance.

On section 2,

Mr. FITZPATRICK. There are changes in the form of the oath. They are merely intended to conform to the amendment of the law.

Bill reported, read the third time and passed.

SUPPLY.

House in Committee of Supply.

Mr. FIELDING. Two items remain in the main estimates and we might take them up to-night. Of course if hon. gentlemen opposite regard either of them as important and desire to have them stand we will let them stand although the supplementary estimates which will come down very soon, I hope to-morrow, will contain items in relation to most of these things and therefore there will be ample opportunity for discussion.

Charges of management, $241,400.

Mr. FIELDING. These items, as will be seen, are the same as usual with the exception of two or three small increases in the case of the offices of the assistant receiver general, amounting to the sum of $1,150 all told. These increases are found necessary owing to our estimate of last year having been found rather close. In the supplementary estimates I find it is necessary to have items relating to some of these votes with a view to making readjustments of the salaries of some of these officials.

A line or lines of steamers to run between St. John and Halifax, or either, and the West Indies and South America, $80,700.

Mr. FIELDING. That item was held over in consequence of a question being raised as to whether the service should be continued to the same ports. The contractor had made a suggestion of some change involving the dropping of St. John. The conclusion of the government was to continue the service on the same route as before.

Mr. R. L. BORDEN. For what time is it continued ?

Mr. FIELDING. It is an annual vote but the contract has been continued for five years.

Mr. W. F. MACLEAN. Who are the contractors ?

Mr. FIELDING. Messrs. Pickford & Black. The contract will be renewed for a term of five years, the ports to be the same. There is some question of the dropping of some ports in the West Indies ; that will be a matter for negotiation with the imperial government. For the present we have not determined upon any change.

Steam communication between St. John and ports on Minas Basin and Cumberland Basin, $3,000.

Mr. R. L. BORDEN. Why was that left over ?

Mr. FIELDING. I think owing to the absence of the member for Cumberland (Mr. Logan) owing to his illness. As that hon. member is still absent perhaps we should allow it to stand over if any hon. gentleman has a question to ask.

Mr. FITZPATRICK.

Mr. R. L. BORDEN. I do not know of any particular question.

Mr. FIELDING. Let it go then.

To provide for expenditure in connection with Transportation Commission, $15,000.

Mr. FIELDING. This item was left over to furnish an explanation in connection with the work of the commission.

Mr. R. L. BORDEN. I asked that that item should stand until the government gave us a full explanation of what the Transportation Commission have done. I do not think it will take them very long to tell us about that. I wanted to know what they expected they ever would do. But, in short, what I want to know is a statement of what has been accomplished by this commission; how long they have been doing it, and what they are doing now. I want to know all about it from first to last; what its present status is, and what use it is proposed to make of it in the future. I have mentioned this three or four times already this session. If the Minister of Finance would get one of his clerks to turn up the places in 'Hansard' where this item has been mentioned, and one place where I brought it up on the Orders of the Day, he will see what I want.

Mr. FIELDING. My impression is that there was a report showing what progress they had made.

Mr. R. L. BORDEN. There was a report of only one place.

Mr. FIELDING. They made an interim report at the beginning of their operations, and I think they have made a later report. However, the hon. gentleman's request is quite reasonable, and I will allow the item to stand.

Prince Edward Island Railway—Murray Harbour Branch and Hillsboro bridge, $357,400.

Mr. EMMERSON. That item was allowed to stand with the promise that an opportunity would be given later for its discussion.

Mr. R. L. BORDEN. Has any explanation been given of it already?

Mr. EMMERSON. Yes, and the papers have all been furnished, copies of contracts, and all the papers that have been asked for.

Mr. R. L. BORDEN. I think we might pass this item with the understanding that it can be reopened.

Mr. FIELDING. It can be taken up on the supplementaries, which will be broad enough to cover a discussion on it.

Mr. EMMERSON. There will be an opportunity of discussing this matter further on the supplementaries.

Some resolutions reported.

ADJOURNMENT — BUSINESS OF THE HOUSE.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. What business is to be taken up to-morrow ?

Mr. FIELDING. It was understood that we would go on with the Autonomy Bill.

Mr. R. L. BORDEN. The Saskatchewan Bill I understood, and also some Bills relating to the Northwest Territories.

Mr. FITZPATRICK. We shall try to get all the Bills that have reference to the Northwest Territories and the two new provinces into shape to be dealt with on third reading on Wednesday—the Alberta Bill, the Saskatchewan Bill and all the ancillary Bills, such as those relating to census and irrigation ; all that are necessary to complete and round out the legislation respecting the Northwest Territories. We will try to-morrow to get the whole thing ready for third reading on Wednesday, if that is agreeable to the House.

Mr. R. L. BORDEN. So far as I am concerned, I see no objection. And it is what I thought would be done. The Minister of Justice promised my hon. friend from Hamilton (Mr. Barker) to send a memorandum respecting the preamble——

Mr. FITZPATRICK. I had it ready on Saturday, but the office was closed, and I could not get anybody to typewrite it then. It is all ready and will be delivered to-morrow.

Motion agreed to, and House adjourned at 10.15 p.m.

HOUSE OF COMMONS.

TUESDAY, July 4, 1905.

The SPEAKER took the Chair at Three o'clock.

PROVINCIAL GOVERNMENT IN THE NORTHWEST—SALARIES OF LIEUTENANT GOVERNORS.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister) moved :

That the House do to-morrow go into Committee of the Whole to consider the following proposed resolution :

Resolved, That section 2 of chapter 4 of the revised statutes, intituled : ' An Act respecting the salaries of certain public functionaries, and other annual charges on the Consolidated Revenue,' be amended by adding at the end thereof the following words and figures :

The Lieutenant Governor of the Saskatchewan, $9,000.

The Lieutenant Governor of Alberta, $9,000.

He said : I beg to inform the House that His Excellency the Governor General having been informed of the subject matter of this recommends it to the House.

Motion agreed to.

DEATH OF DR. JOHNSTON, M.P.

Sir WILFRID LAURIER. Mr. Speaker, once again it is my very sad duty to have to inform the House that we have lost by death one of our colleagues. Dr. Johnston, the member for West Lambton, is no more. This is the fourth time during the present session that death has visited the members of this House. Nobody could have believed when we met here some five months ago that our late friend, Dr. Johnston, who then appeared to be the very incarnation of rugged health, would be one of the first victims ; but such is the uncertain tenure of life, that upon this, as upon many other occasions, the hand of fate has been laid upon him who looked to be the strongest. I need not say to the House that Dr. Johnston was one of the popular members among us. He had no enemies ; all his acquaintances were his friends ; he was beloved by those on this side, and I know he was equally respected by hon. gentlemen opposite. If there was any place where his high and sterling qualities were appreciated more than elsewhere it was in the town of Sarnia and the county of West Lambton, where he passed the greater portion of his life. His death will be a sad blow to his friends, above all to his family, and I am sure that the members of this House on both sides will unite in tendering to his bereaved family the deep and sincere expression of their sympathy.

Mr. R. L. BORDEN. Mr. Speaker, on behalf of those who sit at your left I join with what has been said by the Prime Minister. Our friend, Dr. Johnston, who has passed away, was a man of very kindly and genial disposition, and I cordially endorse what the right hon. gentleman has said as to the respect and esteem in which he was held by those who sit on this side of the House.

Sir WILFRID LAURIER. I am informed that the body of Dr. Johnston will be removed from his place of residence in Ottawa to the train at half-past five o'clock. If it is agreeable to my hon. friend the leader of the opposition, I would ask that Mr. Speaker suspend the proceedings of the House at 5 o'clock instead of 6 o'clock as usual.

Mr. R. L. BORDEN. Certainly.

VENTILATION OF THE CHAMBER.

On the Orders of the Day being called,

Mr. GEORGE TAYLOR. I regret that the Minister of Public Works is not in his place,

but I see the Minister of Agriculture, who is the father of the cold storage system, and if the Minister of Public Works does not act, the Minister of Agriculture might take steps to obtain some better arrangement than that which now exists for cooling the air in this chamber. The Prime Minister has just referred to the fact that during the present session four members have been called away ; the only wonder is that the number is not greater. In this chamber last night there were 80 degrees of heat, and when you came in from the outside, where you were breathing fresh air, the foul air here struck you at the door. It is the duty of the government to at once correct this. Surely some arrangement can be devised whereby this chamber can be made healthy ; the windows ought to be removed on such a day as this and the fresh air allowed to come in. We should have fresh air introduced through pipes filled with ice, so that it may be cooled. Just now the temperature here is 75, while outside it is 70. Under this very room there are five or six furnaces kept going day and night for the purpose of supplying hot water ; and if it is necessary to have hot water in the building, some arrangement should be made for heating it outside and forcing it through in pipes. We have put up with this state of things long enough. The session of parliament is never going to be got through in cool weather. We commenced on the 11th day of January and here we are in July. I never expect to see a session over again before six or seven months, and it is time the government did something to preserve the health of the members who are obliged to attend their public duties here.

Hon. GEORGE E. FOSTER. I do not think any words can be too strong to impress this matter upon the minds of those who have it in charge. Ever since I have been in the House this has been a constant complaint, and nothing efficient has ever been done to provide a remedy. It is not too much to say that a man either of very rugged health or of delicate physique takes his life in his hands when he attends the sessions of parliament in this chamber regularly afternoon and night. A man midway between the very rugged and those of a very slender type seem to get through much better than the others, but anyhow the place is very unhealthy. That floral tribute on that vacant desk to-day tells us of the passing away of one of our members. I do not know that directly the foul air in this chamber had anything to do with it, but I do know that the members of this House feel very strongly—I feel so myself very strongly—that when one attends this chamber constantly he takes great risks on living out the term of his natural life. There ought to be something done right away to cool the air in this chamber ; and our caretakers, aided by scientific advice, should immediately take up the matter. If necessary they should knock out the sides of the thing one way or the other ; better knock out the side of the House and allow fresh air to come in than make us live in this foul atmosphere. The fact that the temperature is higher in this chamber than it is outside is patent to everybody ; you cannot come in from the fresh air and enter that corridor without distinguishing the deadly atmosphere. I feel it every time I come in. Something ought to be done ; and if nothing can be done to this chamber, let us take some of the money we are lavishing in other ways—for instance, on the mint and the museum—and let us make a chamber which will be at least healthy for the people's representatives, whose lives are at stake.

Sir WILFRID LAURIER. My hon. friend (Mr. Foster) has rightly said that this is not a new complaint ; he and I have heard it ever since we have been in this House. Something certainly ought to be done at the earliest possible date to remove the grievance to which he has alluded. I shall make it my special duty to call the attention of the Minister of Public Works to this state of affairs, so that he may try any means possible to have it remedied.

Mr. J. G. H. BERGERON. I know, as a matter of fact, that two or three years ago a gentleman named Manny, who is an inventor, and who has successfully installed fresh air plants, offered the government to ventilate this chamber in a proper way and to provide any temperature that might be required. That offer was refused on the opinion of the engineers and architects of the government, who held that if they had not been able to do it, Mr. Manny could not succeed. This offer is still before the government, and I think we should ascertain whether or not that gentleman is prepared to carry it out. He has said that he could keep the temperature of this chamber at 70 or 72, or at any other degree that is required.

Mr. C. PICHE. I wish to state that the gentleman mentioned by the hon. member for Beauharnois has offered to give any amount of security that he will carry out his contract to ventilate this chamber in a proper way. So there need be no fear that he will not do the work properly.

Mr. T. S. SPROULE. I think I suggested before, and I mention it again, that the ventilation of this chamber could be very much improved by opening up six of the squares in the ceiling, and at the same time opening some of the windows lower down. During several months each year for two or three years I occupied a square chamber something like this with about 500 other people, yet we have never experienced any of the deleterious effects from impure air which we experience in this chamber. The high openings above would draw off the heated

air, which tends to ascend, and the cool air from the lower openings would take its place. I do not know why architects have never made any attempt to improve the ventilation in that way, which seems to me the most natural way to ventilate.

HALF BREED SCRIP.

Mr. FOSTER. Before the Orders of the Day are called, I would like to ask the Prime Minister if the government has come to any conclusion with reference to the investigation or the carrying out of the process before the scrip commissioners.

Sir WILFRID LAURIER. My hon. friend asked if the government had employed counsel. I may say that we have not come to a conclusion as yet. I will give an answer to my hon. friend to-morrow.

Mr. FOSTER. I think this is somewhat important. To-day is the 4th of July, that place is somewhat distant, Winnipeg is somewhat distant from here, and if proper preparation is to be made, some time must be given to counsel to procure witnesses and get the evidence in shape. As an evidence of what is taking place, I may read the following telegram :

Rolla, North Dakota, June 24.—Emissaries of a real estate firm in Canada have been here for some days endeavouring to find out the half-breeds who are likely to go to Killarney next month to give evidence in the scrip scandal investigation to be held there. It is said many of the older half-breeds, who are likely to give damaging evidence, have received large sums of money to go to the mountains about that time. It is also said that a notary public of North Dakota who signed many papers in blank, is holding the firm in question up for a large amount and threatens if he does not get his price there will be startling revelations. There is great unrest in the case here.

My right hon. friend must see that it is worth a great deal to these parties to get incriminating evidence out of the way, and they are able to pay, and pay royally, for doing it.

THE NIXON INVESTIGATION.

Mr. FOSTER. I would like also to ask the government whether they are yet able to inform the House whether or not they are going to have a thorough investigation made into the Nixon case. Evidence has been sent to me to prove: that the boy Nixon was not in the office when the money was stolen, that all the receipts were signed by the elder Nixon himself, that the son never left the country, that he always lived at Macleod, except for a few days spent at Frank and Blair, that he was much on the surveys and was not always engaged in the office, and that the elder Nixon did all the work and took all the money, and that the proof of these facts is abundant if an opportunity is given for it to be utilized. One feature of the case which is probably more important than any other, as it stands to-day, is that this young boy has been branded and marked for life. He is either innocent or guilty. If he is not guilty, it is a wretched outrage to brand him as guilty, and send him out to live his forty or fifty or sixty years of life with that brand upon him.

Sir WILFRID LAURIER. I informed my hon. friend the other day that I had asked the Minister of the Interior to look into the different allegations and prepare a report. My hon. friend knows that we have been very busy, and he cannot wonder that all these things have not yet been attended to ; but they will be attended to.

THE KENTVILLE RIFLE RANGE.

Mr. SAM. HUGHES. I wish to draw the attention of the government to the fact that the report of the evidence taken in regard to the Kentville or Aldershot rifle range in Nova Scotia will cost upwards of $100 to be copied. It is rather a heavy expense, but I would respectfully draw the attention of the government to the necessity of having it copied, so that the House may be in possession of the report.

Mr. FITZPATRICK. My hon. friend must remember that the matter was referred to the Exchequer Court, and I apprehend that there must be a printed copy of the report.

Mr. SAM. HUGHES. I do not know anything about it personally, but my information comes from the officers of the Exchequer Court.

Mr. FITZPATRICK. I will find out to-morrow how the matter stands.

Mr. R. L. BORDEN. I do not think it can be printed, because I understand that the proceedings before the judge of the Exchequer Court are not printed at all.

PROVINCIAL GOVERNMENT IN THE NORTHWEST.

Sir WILFRID LAURIER moved second reading of Bill (No. 70) to establish and provide for the government of the province of Saskatchewan.

Mr. R. L. BORDEN. Mr. Speaker, I do not propose to discuss this Bill. The debate which took place on the second reading of the corresponding Bill (No. 69), was very exhaustive, and it is not worth while at this stage of the session to repeat any portion of it. I shall therefore content myself, for the reasons which I gave at that time, with moving:

That all the words after the word 'that' to the end of the question be left out and the following substituted therefor :

Upon the establishment of a province in the Northwest Territories of Canada as proposed by Bill (No 70) the legislature of such province, subject to and in accordance with the provi-

sions of the British North America Acts, 1867 to 1886, is entitled to and should enjoy full powers of provincial self-government including power to exclusively make laws in relation to education.

This is precisely similar to the motion I made with regard to the other Bill.

House divided on amendment (Mr. R. L. Borden).

YEAS :

Messieurs.

Alcorn,	Kemp,
Barker,	Lake,
Barr,	Lennox,
Bennett,	MacLaren,
Blain,	McCarthy (Calgary),
Borden (Carleton),	Martin (Queen's, P.E.I.),
Chisholm,	Morin,
Christie,	Porter,
Clare.	Ratz,
Cochrane,	Roche (Marquette),
Crocket,	Schaffner,
Daniel,	Sproule,
Elson,	Staples,
Foster,	Stockton,
Gunn,	Walsh,
Haggart,	Wilmot,
Henderson,	Wilson (Lennox & Addington),
Herron,	
Hughes (Victoria),	Wright (Muskoka).—37.

NAYS :

Messieurs.

Adamson,	Lavergne (Montmagny),
Béland,	Law,
Belcourt,	LeBlanc,
Bergeron,	Lovell,
Black,	Macdonald,
Bourassa,	Maclean (Lunenburg),
Brodeur,	Macpherson,
Brown,	McColl,
Bureau,	McCool,
Caldwell,	McIntyre,
Carney,	McIsaac,
Carrier,	McKenzie (Bruce),
Cash,	McKenzie (Cape Breton, N.),
Clarke,	
Copp,	McLennan,
Costigan,	Marcile (Bagot),
Crawford,	Marcil (Bonaventure),
Cyr,	Meigs,
Delisle,	Miller,
Demers,	Monk,
Derbyshire,	Oliver,
Desjardins,	Parmelee,
Devlin,	Paterson,
Dubeau,	Paquet,
Dugas,	Parent,
Ethier,	Piché,
Fielding,	Pickup,
Finlayson,	Préfontaine,
Fisher,	Reid (Restigouche),
Fitzpatrick,	Riley,
Fortier,	Ross (Rimouski),
Galliher,	Ross (Yale-Cariboo),
Gauvreau,	Rousseau,
Geoffrion,	Schell (Oxford),
Gladu,	Scott,
Grant,	Sinclair,
Greenway,	Sloan,
Guthrie,	Smith (Oxford),
Hughes (King's, P.E.I.),	Stewart,
Hunt,	Talbot (Bellechasse),
Jackson (Selkirk),	Talbot (Strathcona),
Johnston (Cape Breton, South)	Telford,
Kennedy,	Thompson,
Laurier (Sir Wilfrid),	Tobin,
Lavergne (Drummond & Arth.),	Turriff,
	Zimmerman.—90.

PAIRS :

Government.	Opposition.
Calvert,	Taylor,
Gordon,	Clements,
Harty,	Reid (Grenville),
Hyman,	Pringle,
Lemieux,	Tisdale,
Emmerson,	Fowler,
Logan,	Lefurgey,
Bole,	Ames,
Boyer,	Ingram,
Bruneau,	Jackson (Elgin),
Beauparlant,	Bland,
Savoie,	McLean (P.E.I.)
Lanctot,	Lancaster,
Gervais,	Maclean (York),
German,	Macdonell,
Mulock,	White,
Lamont,	Ganong,
Campbell,	Northrup,
Hall,	Seagram,
Sifton,	Osler,
Martin (Wellington),	Ward,
Burrows,	Avery,
Watson,	Broder,
Smith (Nanaimo),	Armstrong,
Loggie,	Cockshutt,
Wright,	Lalor,
Dyment,	Bristol,
Gallery,	Boyce.
Wilson (Russell),	McCarthy (Simcoe),

Amendment negatived.

Mr. SPEAKER. Those who are in favour of the main motion will please rise.

Mr. R. L. BORDEN. Same division reversed—carried on the same division reversed.

Mr. McINTYRE. Mr. Speaker, I object to the motion being carried on the same division reversed.

Mr. SPEAKER. Those who are in favour of the motion will please say 'Aye.'

Some hon. MEMBERS. Aye.

Mr. SPEAKER. Those who are opposed to the motion will please say 'No.'

Some hon. MEMBERS. No.

Mr. SPEAKER. In my opinion the ayes have it.

Mr. R. L. BORDEN. Carried on division.

Motion agreed to, and Bill read the second time.

PROVINCE OF SASKATCHEWAN—FINANCIAL TERMS.

House went into committee to consider the following proposed resolutions:

1. Resolved, That the following amounts shall be allowed as an annual subsidy to the province of Saskatchewan and shall be paid by the government of Canada, by half-yearly instalments

in advance, to the said province, that is to say :

(a) for the support of the government and legislature, fifty thousand dollars ;

(b) on an estimated population of two hundred and fifty thousand, at eighty cents per head two hundred thousand dollars, subject to be increased as hereinafter mentioned, that is to say: a census of the said province shall be taken in every fifth year reckoning from the general census of one thousand nine hundred and one, and an approximate estimate of the population shall be made at equal intervals of time between each quinquennial and decennial census ; and whenever the population, by any such census or estimate, exceeds two hundred and fifty thousand, which shall be the minimum on which the said allowance shall be calculated, the amount of the said allowance shall be increased accordingly and so on until the population has reached eight hundred thousand souls.

2. Resolved, That inasmuch as the said province is not in debt, it shall be entitled to be paid and to receive from the government of Canada, by half-yearly payments in advance, interest at the rate of five per cent per annum on the sum of eight million one hundred and seven thousand five hundred dollars.

3. Resolved, That inasmuch as the public lands in the said province are to remain the property of Canada, there shall be paid by Canada to the said province annually by way of compensation therefor a sum based upon the estimated value of such lands, namely, $37,500,000 the said lands being assumed to be of an area of 25,000,000 acres and to be of the value of $1.50 per acre, and upon the population of the said province as from time to time ascertained by the quinquennial census thereof, such sum to be arrived at as follows :

The population of the said province being assumed to be at present 250,000, the sum payable until such population reaches 400 000 is to be one per cent on such estimated value, or $375,000 ;

Thereafter, until such population reaches 800,000, the sum payable is to be one and one-half per cent on such estimated value, or $562,500 ;

Thereafter, until such population reaches 1,200,000, the sum payable is to be two per cent on such estimated value or $750,000 ;

And thereafter such payment is to be three per cent on such estimated value, or $1,125,000.

4. Resolved That as additional compensation for such lands there shall be paid by Canada to the said province annually for five years to provide for the construction of necessary public buildings, one-quarter of one per cent on such estimated value, or $93,750.

Hon. W. S. FIELDING (Minister of Finance). As we are treating these two Autonomy Bills as one all through, I would suggest that instead of taking up these resolutions seriatim, we agree that they shall be amended to correspond to the similar resolutions in the Alberta Bill, leaving it to the clerk to make the necessary changes for that purpose.

Mr. BERGERON. Are they word for word the same clauses?

Mr. FIELDING. The resolutions were originally introduced in the same form. In the case of the Alberta Bill some amendments have been made. My proposal is that the amendments made in the Alberta resolutions and in the Bill founded thereon be made also in these resolutions.

Mr. R. L. BORDEN. As I understand, the resolutions are the same as in the Alberta Bill?

Mr. FIELDING. Yes.

Mr. R. L. BORDEN. And the amendments necessary are the same word for word as those in connection with the Alberta Bill?

Mr. FIELDING. Precisely.

Mr. R. L. BORDEN. To keep the records right I suppose it will appear in the journals that the Minister of Finance made the necessary motions or amendments?

Mr. FIELDING. Quite so.

Mr. R. L. BORDEN. I am willing to agree to the Finance Minister's proposal for the purpose of saving time.

Mr. URIAH WILSON. I do not know whether the amendments as they were finally in the Alberta Bill were all made in one day or not. The object is to conform this Bill word for word with the Alberta Bill? I would like to know on what day or days the amendments in the Alberta Bill were made ?

Mr. FIELDING. The hon. gentleman (Mr. Uriah Wilson) will find these amendments on page 542 of the 'Votes and Proceedings.'

Resolutions as amended reported, read the first and second times and agreed to.

PROVINCIAL GOVERNMENT IN THE NORTHWEST.

House in committee on Bill (No. 70) to establish and provide for the government of the province of Saskatchewan—Sir Wilfrid Laurier.

On section 2, British North America Acts, 1867 to 1886, to apply.

Mr. R. L. BORDEN. I beg to move :

That section 2 be struck out and the following substituted therefor :

2. The provisions of the British North America Act, 1867 to 1886 shall apply to the province of Saskatchewan in the same way and to the like extent as they apply to the other provinces heretofore comprised in the Dominion, except such provisions as in terms or by reasonable intendment are specially applicable to or affect one or more only and not the whole of the said provinces.

Amendment negatived on division.

Mr. MONK. It was in amendment to section 2 of the Alberta Bill that I moved my amendment to that Bill the other day. As I desire to move a similar amendment to this Bill I suppose I had better move it now?

Sir WILFRID LAURIER. Very well.

Mr. MONK. I move:

Either the English or the French language may be used by any person in the debates of the legislative assembly of the province and in the proceedings of the courts, and both these languages shall be used in the records and journals of such assembly, and all laws made by the legislature shall be printed in both languages : provided, however, that the said legislative assembly may by law or otherwise regulate its proceedings and the manner of recording and publishing the same, and the regulations so made shall be embodied in a proclamation which shall be forthwith made and published by the Lieutenant Governor in conformity of the law and thereafter shall have full force and effect.

Amendment negatived on division.

On section 4,

Mr. FITZPATRICK moved that the following be substituted for section 4 :

The said province and the province of Alberta shall, until the termination of the parliament of Canada existing at the time of the first readjustment hereinafter provided for, continue to be represented in the House of Commons as provided by chapter 60 of the statutes of 1903, each of the electoral districts defined in that part of the schedule to the said Act which relates to the Northwest Territories, whether such district is wholly in one of the said provinces, or party in one and partly in the other of them, being represented by one member.

This is to make this Bill conform to the Alberta Bill.

Mr. R. L. BORDEN. I assume that in every case where the government makes any amendment it is, ipsissimis verbis, in the terms already moved and carried with respect to the Alberta Bill.

Mr. FITZPATRICK. That is the assumption on which we are proceeding.

Mr. R. L. BORDEN. Upon that assumption I make no further comment.

Section as amended, agreed to.

On section 5,

Mr. FITZPATRICK moved that the following be substituted for section 5 :

Upon the completion of the next quinquennial census for the said province, the representation thereof shall forthwith be readjusted by the parliament of Canada in such manner that there shall be assigned to the said province such a number of members as will bear the same proportion to the number of its population ascertained at such quinquennial census as the number sixty-five bears to the number of the population of Quebec as ascertained at the then last decennial census ; and in the computation of the number of members for the said province a fractional part not exceeding one-half of the whole number requisite for entitling the province to a member shall be disregarded, and a fractional part exceeding one-half of that number shall be deemed equivalent to the whole number, and such readjustment shall take effect upon the termination of the parliament then existing.

Sir WILFRID LAURIER.

2. The representation of the said province shall thereafter be readjusted from time to time according to the provisions of section 51 of the British North America Act, 1867.

Motion agreed to, and section as amended agreed to.

On section 9,

Mr. FITZPATRICK. There is no question about the seat of government in Saskatchewan. An amendment was moved to the other Bill with respect to the seat of government.

Mr. BERGERON. It is understood it is to be at Regina.

Mr. R. L. BORDEN. I do not think there is any discussion in regard to it.

On section 12,

Mr. FITZPATRICK. The words :

Having due regard to the distribution of population and existing local divisions.

are struck out.

Mr. R. L. BORDEN. We have a sechedule to this Bill have we not ?

Mr. FITZPATRICK. Yes, and I now move that Schedule 'B' be adopted.

Mr. LAKE. When the Alberta Bill was before this House the statement was frequently made that the desire to make Calgary a capital was at the bottom of a great deal of the opposition which had been raised by members on this side of the House to the schedules as they were presented. Occasion was taken several times by members on this side to repudiate that statement. I certainly did so for my part and others did the same. We objected to the proposed distribution on the ground that it was a most unfair distribution of representation. In the present Bill there is no question about the capital ; there is no doubt as to the proposition that Regina should be selected for the first meeting of the new legislative assembly, but an examination of the schedules as attached to this Bill shows that there is apparently a deliberate intention on the part of the government to deprive the older settlers in the new province of their fair and legitimate share in the representation of that country. Under the schedule those older settlers who have mainly made that country what it is, who have borne the burthen and heat of the day, who have legislated in the past for that country and successfully legislated, are to be deprived of an equitable voice in what the future of that country shall be, now that it is made into a province. I say there ought to be no mistake whatever as to what we are contending for in this matter. We simply ask that every vote in that new country shall have an equal value, that the vote of the old-timer shall have a value equal to that of the new comer to the country. We ask no more and no less. We ask simply for equitable treatment to all. Taking a general aver-

age we find that with the distribution proposed, the vote of the new-comer shall be equivalent in value to the votes of two of the older settlers in that country. That is the general effect of the proposed distribution. We desire that the principle of representation according to population should be adhered to, and this distribution does not adhere to it. In the old legislative assembly, in so far as concerns the present proposed province of Saskatchewan, there were two distinct legal divisions, there was the provisional district of Saskatchewan in the north and that of Assiniboia in the south. Those two divisions have been recognized in all distributions of representation from the beginning up to the present time and we find that to a certain extent they have been recognized in the schedules which have been placed before us. All the seats with the exception of three are completely in either the northern district or the southern district. In three cases the seats, while properly belonging to the north, have been run into the south and take in a considerable slice of the southern districts. I intend to show that it is proposed to give a far larger representation to the northern parts of the province than it is entitled to, and a far smaller share of representation to the southern part of the province than it is entitled to. For that purpose I will take the old division as between the provisional district of Saskatchewan, which I shall call the northern portion, and of Assiniboia, which I shall call the southern portion. This Bill, roughly speaking, gives nine seats to the north and sixteen seats to the south. The original schedules which were laid before the House gave ten seats to the north and fifteen to the south. I did not catch what the right hon. Prime Minister moved when these schedules were brought up, but I understand he moved the amended schedules as laid on the table of the House a few days ago :

Sir WILFRID LAURIER. I moved the original schedule, not the amended schedule, but of course, my hon. friend (Mr. Lake) has notice of the amendment which it is proposed to introduce and which modifies to some extent his argument.

Mr. LAKE. May I ask the right hon. Prime Minister if it is his intention to move the amended schedule ?

Sir WILFRID LAURIER. Yes.

Mr. LAKE. I think, therefore, that I might as well base my argument on the amended schedule.

Sir WILFRID LAURIER. Hear, hear.

Mr. LAKE. The original schedule, of course, shows far more in favour of the argument which I propose to make than the amended schedule, but if, as I understand the right hon. Prime Minister, he intends to move the amended schedule then I suppose it would be more satisfactory to this committee if I based my argument on the amended schedule. Since the Bill was introduced we find that an amendment has already been made to the original schedule as brought in. I am very glad to find that the amendment has been made. It has made things slightly better, but this distribution is still about as bad, in my opinion, as it is possible for any distribution of seats to be. Now, in dealing with the question of Prince Albert the government laid down certain principles which they said would govern them and which did govern them in the distribution of seats. At page 8000 of 'Hansard' it is stated by the right hon. Prime Minister that :

> The prime object——
>
> Of the distribution—
>
> ——was as far as possible to give equality of numbers in the different electoral districts.
>
> Mr. FOSTER. How equality of numbers ?
>
> The PRIME MINISTER. Taking the unit of population.

On the following page he used this language :

> That was the first consideration, at all events —the existing representation. The next was the geographical distribution of the population. These are the three principles which we have in mind and I do not think it possible to have any other guides.

Later he went on to elaborate this a little farther. At page 8100 of 'Hansard' he said :

> I stated yesterday at the opening of the discussion that we took as the basis of the distribution which we made, the condition of things existing at the present time, the number of seats assigned to the province of Alberta in the present legislature of the Territory, which amounts to 16. First of all we had to increase that by 10, we had to give to Alberta 10 more seats than there are to-day in the legislature of the Northwest Territories within the limits of Alberta. How are we to come to that conclusion ? We come to that conclusion upon information derived from three sources which we submit to the House to be challenged. We take first the number of votes recorded. We do not say to the House that this is the only thing we should take into consideration ; we say that is one thing which ought to be taken into consideration but not alone. We take next the number of votes registered ; we do not say that is the only thing to be taken, that is only one of many things on which we should form our judgment. Then we take the census of 1901. That is the best thing of all. If we had a census for 1905 we would not have to consider the number of recorded votes nor the number of registered votes, nor the number of post offices, school districts or improvement districts ; we would take only the census for 1905. But we have no census of 1905 and therefore we have to make up our minds as to what is the actual population at the present time. We know that the population at the present time is double what it was in 1901, and we have to make our calculation accordingly. But though the population

has doubled, I think it is only a fair suggestion that we must find a wealth of information in the census of 1901. We say moreover that we think this is something to go on, not the number of post offices, school districts and improvement districts.

That was the basis upon which the distribution in Alberta was made, according to the statement of the right hon. Prime Minister. I would like to read also a statement which was made in this respect by the hon. Minister of the Interior (Mr. Oliver). He was more definite. He said :

The definite division of the constituencies is based on the vote actually polled on the 3rd November, as we believe that was the closest and most recent date upon which we could get information we could rely upon. The information with regard to post offices, homestead entries and other matters of that kind was arrived at in order to bear, not upon the question of division of constituencies, but on the question as to whether the bulk of the population was in one end of the country or the other. That information therefore would not have any direct bearing on the propriety of the actual division made, but would be merely corroborative evidence to show whether the trend of population was in this direction or that.

Later on the Minister of the Interior made another statement as to the basis upon which they proceeded. At page 8118 he is reported to have spoken as follows :

The basis of the division of the constituencies was necessarily, I said, the vote cast. That was not the question that he was arguing about at all. That question has not yet arisen. I said that we took the actual vote cast, because it was the latest and most accurate information we could get for the purpose of drawing a dividing line between the constituencies. But that was not, if he followed my remarks of yesterday, the sole basis, from my point of view, of the general arrangement that was made. He speaks of my having introduced the question of the dividing line at township 38. I do not know whether it is to the purpose in this argument to shut our eyes and ears to what we have seen and heard ever since these Autonomy Bills came up for consideration ; but I instanced the increase of population, the number of post offices, the number of statute labour districts, the number of school districts and other matters connected with the northern country, as evidence.

I would like to ask now how this basis of calculation applies to the distribution which we have before us. A number of figures have been brought down by the government showing the populations in the various proposed districts, the votes cast, the voters on the list, the area and so on. I would like to get this statement upon 'Hansard.' I have had an abstract made of the figures given by the government in a more concise form than their figures are given and I think it will be found correct. If hon. gentlemen on the other side of the House would kindly correct me if I misquote any of the figures I would be very much obliged. The following is the statement given by the government :

GOVERNMENT DISTRIBUTION—PROVINCE OF SASKATCHEWAN.

Constituency.	Total Population.	Indians.	Votes Polled.	Names on List.	Area without Athabaska.
1 Souris	5,704	None.	2,544	3,348	3,190
2 Cannington	3,485	173	1,684	2,432	2,575
3 Moosomin	5,163	None.	1,397	1,897	1,165
4 Whitewood	3,775	181	821	1,377	1,335
5 Grenfell	3,956	304	934	1,389	1,440
6 Wolseley	4,059	283	1,122	1,466	1,120
7 Saltcoats	11,004	633	1,478	2,327	3,225
8 Yorkton	5,116	8	1,144	1,674	3,195
9 South Qu'Appelle	5,530	638	1,930	2,692	3,820
10 North Qu'Appelle	3,157	701	927	1,398	3,245
11 South Regina	1,724	None.	1,282	1,694	4,285
12 Regina city	2,442	8	740	933	
13 Lumsden	3,096	None.	1,122	1,405	4,285
14 Moosejaw	4,025	91	1,172	1,578	12,425
15 Moosejaw city	.....	.....	786	1,037	
16 Maple Creek	1,841	48	846	1,196	20,669
17 Humbolt	582	311	178	298	7,657
18 Kinistino	4,288	1,839	1,029	1,775	25,652
19 Prince Albert	3,469	1,235	484	717	6,555
20 Prince Albert city	2,275	165	542	740	
21 Batoche	1,970	94	659	1,042	3,746
22 Saskatoon	3,008	50	1,017	2,314	5,998
23 Rosthern	4,899	159	808	1,381	1,010
24 Redberry	2,619	543	277	597	8,735
25 Battleford	4,275	2,220	725	1,499	22,877
	91,460	9,684	25,648	.....	.....

These are the figures as given by the government. I do not think they are absolutely correct; I compiled figures on my own account, but I find my figures and the government figures sufficiently near to enable me to accept the government figures as sufficiently accurate for the purpose of the argument which I propose to make. In the original schedule proposed by the government there was an average of 1,328 votes cast in each electoral district in the south, while there was only an average of 571 votes cast in each electoral district in the northern constituencies. It would be seen therefore that considerably more than double the representation to which they were entitled was given to the people in the north, according to the original schedules, than was given to the people in the south. There was also an average of 1,856 names on the voters' lists of each constituency in the south as compared with an average of 1,036 names on the voters' lists in each constituency in the north. Under the proposed original distribution, also, there was according to the census a population of 4,067 in each electoral division in the south and an average population of 2,076 in each electoral division in the north. I wish to put this on record as showing the way in which the original distribution proposed by the government worked out.

Mr. SPROULE. One man in the north seemed to be equal to two in the south.

Mr. LAKE. Under the amendment proposed by the Prime Minister which has been laid on the table of the House and which gives sixteen seats to the south and nine to the north, instead of fifteen seats to the south and ten to the north as originally proposed, I find that, taking the census of 1901, there was an average population for each of the twenty-five constituencies, omitting Indians, of 3,222. Taking the votes polled on the 3rd November, 1904, there would be an average of 1,026 to each of the twenty-five constituencies, and an average of 1,529 names on the voters' lists of each constituency.

We find that the distribution provides for sixteen seats in the southern portion. There are to each of these constituencies, according to the population of 1901, omitting Indians, 3,813 persons; according to the votes polled on the 3rd of November, 1904, 1,245 votes; and, according to the number of voters on the list at the same date, 1,740 votes. In each of the nine constituencies in the northern portion of the district, the old district of Saskatchewan, there is according to the population of 1901, omitting Indians, an average of 2,307 persons, an average of votes polled on the 3rd of November, 1904, of 635, and an average number of votes on the list, 1,151. These were the three main bases on which the government proceeded with the distribution of seats in the province of Alberta. They also took the number of post offices. From the post office guide I estimate that the number of post offices in the northern portion of Saskatchewan is about 100, and the number in the southern portion 285. The number of schools was also taken into consideration. I find that in the northern portion of Saskatchewan there are, roughly speaking, 200 schools, and in the southern portion 575. As further corroborative evidence, the number of local improvement districts in Alberta was quoted. I am informed by a telegram which was sent to me yesterday by Mr. Bulyea of the Public Works Department at Regina, that in the northern district of Saskatchewan there are only eight districts organized, as against 151 in the southern portion. He goes on to say:

> A large portion of Saskatchewan is eligible for organization, but information and petitions come too late for action this year.

We were told that the number of homestead entries should also be taken into consideration as evidence of the trend of population. I find that in the nine northern constituencies, from 1901 to May or June, 1905, there were 17,424 homestead entries, and in the southern portion 31,611, which also goes to show that there has been a larger immigration into the southern portion of that district than there has been into the northern portion. It will of course be readily understood that when a new population comes into a new district, practically everybody who goes in takes up a homestead. I well remember that in the early eighties, when the main line of the Canadian Pacific Railway first opened up the Northwest, practically every man who came to the country and was eligible to take up a homestead, made his entry. It cost him only $10, and he could take up a homestead quite close to a town. A great many of these entries were subsequently abandoned. I fancy that this will be found to be the case very largely in the northern part of Saskatchewan. Almost every railroad man who came into that country took up a homestead, as it might become very valuable to him if he could keep his hold on it without going upon it and putting in his settlement duties. In the last three or four years matters have been very different. In the southern portion of the province it has been practically impossible to get a homestead within a reasonable distance of the railway. People have been going into the older and well known districts, where it is known that farming can be satisfactorily carried on. As they have purchased land, we do not of course find their names among the homestead entries. A great number have also come in to work for farmers. These have not been able to find homesteads near at hand, and we do not find their names among the homestead entries. A great

number of business people have come to settle in the towns, and their names are not among the homestead entries. So that I think an examination of the homestead entries will be found to bear out my contention that the larger proportion of the immigration has been going into the southern portion as against the northern. However, it is not necessary to the argument which I wish to place before the House, to press that point home. Even supposing that a larger proportion of immigration has not been coming to the southern portion, it will be found that the distribution of seats will show that a most unjustly excessive proportion of the representation is being given to the northern portion of the province of Saskatchewan.

Mr. SCOTT. What dividing line is my hon. friend adopting as between north and south Saskatchewan?

Mr. LAKE. I am taking the dividing line as shown by the constituencies in the amended schedule.

Mr. SCOTT. Of course, certain constituencies as proposed by the amended map lap over from Saskatchewan into Assiniboia, and vice versa.

Mr. LAKE. Yes, but I have no doubt that the hon. member for Saskatchewan will endorse what I say when I say that the figures were given by the officer of the government for each of the amended constituencies. At least, he had them so on his statement.

Mr. LAMONT. I am not disputing the figures at all, but that does not meet the point which the hon. member for Western Assiniboia raised. The hon. gentleman (Mr. Lake) is classing them as north and south. There is no north and south according to this schedule. and what the hon. member for West Assiniboia (Mr. Scott) wanted to get at was on what basis the hon. gentleman was speaking of northern seats and southern seats? Where does he make the dividing line? According to the amended schedule, some constituencies extend down to Assiniboia, and vice versa.

Mr. LAKE. I thought I had already made that plain. There are nine seats which are entirely or mainly in the old district of Saskatchewan. Six of them are entirely in the old district of Saskatchewan, and three of them extend some little distance into the old district of Assiniboia. Those are what I call the northern seats, and those which are entirely in the old district of Assiniboia I call the southern seats.

Mr. R. L. BORDEN. Numbers 17 to 25.

Mr. LAKE. In this statement numbers 17 to 25 comprise the nine seats. All of them are either entirely or to a very large extent in the province of Saskatchewan. The other sixteen seats are entirely in the old district of Assiniboia.

Mr. SCOTT. Would not Saltcoats and Yorkton be as fairly classed as northern districts? I find the southern boundary line of Yorkton is only eighteen miles further south than the southern boundary of Batoche, Saskatoon and Battleford.

Mr. LAKE. They are entirely in the district of Assiniboia.

Mr. SCOTT. Yes, in the old district, but they are in a federal district made two years ago in this House, which we looked upon as a northern district, the district of Mackenzie.

Mr. LAKE. I am not dealing with a federal district. I am using this for the purpose of argument, to show that what has always been considered part of the present province of Saskatchewan has been given an undue amount of representation, and I take the seats which are entirely or mainly in the province of Saskatchewan. These we call northern seats, and the seats entirely in the old district of Assiniboia I would call southern seats.

Mr. FOSTER. Just as well call them 9 and 16. The inequality would be just the same.

Mr. LAKE. I have given the vote and population to each seat, and I would like the matter looked at from another point of view. Instead of giving nine seats to the north and sixteen to the south, if a fair division were made, based on the population as given by the census of 1901, there would be six and a quarter seats, to be exact, in the north and eighteen and three-quarters in the south. If it had been based on the votes polled—and the Minister of the Interior said this was necessarily the basis in the distribution in Alberta—then there should be only five and a half in the north and nineteen and a half in the south.

Mr. LAMONT. If it were based on the Haultain redistribution in 1902, what would you be entitled to?

Mr. LAKE. If it had been based on the Haultain redistribution, we should have had a fair distribution of the seats, and there never would have been a word raised on this side.

Mr. LAMONT. You said that that was a fair redistribution in 1902?

Mr. LAKE. We are not dealing with Mr. Haultain's redistribution at present; but as between the districts of Assiniboia, Saskatchewan and Alberta, it was the fairest possible redistribution which could have been arrived at. Had this government adopted a redistribution anything like that, there would be no dissatisfaction.

Mr. OLIVER. What was the basis of that redistribution?

Mr. LAKE. The population of 1901. It took place within a year of that census.

Mr. OLIVER. We gave the district of Edmonton 2,500 and Cardston 611.

Mr. LAKE. Does the hon. gentleman know how many votes there were then in those two townships ?

Mr. OLIVER. I know how many were cast in 1905.

Mr. LAKE. There is considerable difference between 1901 and 1905. The Minister of the Interior will admit that there has been a slight change in the number of people living in the Northwest.

Mr. LAMONT. What is the difference between the votes cast in Moosejaw in 1902 and the votes cast in Batoche on this fair redistribution ?

Mr. LAKE. I am not dealing with the Haultain redistribution of 1902. I think the hon. gentleman's cross-examination on that point is entirely irrelevant. I have made the statement that if as fair a redistribution had been made in this case, there would not have been a word said.

Mr. OLIVER. Will the hon. gentleman show how fair that redistribution was ?

Mr. LAKE. If the hon. gentleman will bring up that question later on, if he thinks it relevant to the point at issue, I will have the figures and satisfy him as to the fairness of that redistribution. I was comparing the effect of the various grounds upon which the distribution was made in Alberta if applied to Saskatchewan when I was interrupted. If the distribution had been based on the names on the voters' list there should be only 6¾ seats in the north and 18¼ in the south. If based on the number of schools, or post offices, or local improvement districts or homestead entries, there would be about the same results. We claim also, apart from the fact of this very undue representation being given the north, that the distribution of seats among the various constituencies is exceedingly uneven. Compare, for instance, the district of Humboldt with the district of Maple Creek, each of them very large in area.

Mr. SCOTT. If the hon. gentleman insists upon treating the province in sections—for instance he classes a certain part as north and a certain part as south—does he not think it unfair to make a comparison between a district in the south and a district in the north ? Let him compare districts in the same section or compare the whole south with the whole north. It is not fair to take districts out of the south and compare them with districts in the north.

Mr. LAKE. I can see absolutely nothing unfair in showing the incidence of this redistribution. To compare one district with another and one constituency with another is the only way in which the House can be thoroughly seized of the fact of the distribution under consideration. Compare Humboldt with Maple Creek. Humboldt had 198 votes polled on the 4th November last and has an area of 7,657 square miles. Maple Creek had 846 votes polled and has an area of 20,669 square miles.

Mr. LAMONT. Is that any greater variation than the difference between Batoche and Moosejaw at the last local election, which you say is fair ?

Mr. LAKE. These hon. gentlemen apparently have been brooding over the distribution of 1902 and cannot throw it off.

Mr. LAMONT. You say it was fair.

Mr. LAKE. We will have ample time to consider that redistribution later on, if the Chairman considers it relevant to the question at issue. Batoche had 1,659 votes polled on November 3rd, and its area is 3,746 square miles. Souris had 2,544 votes polled on November 3rd and its area is 3,190 square miles. Let us group a few of these constituencies together and see how it works out. If you take Humboldt, Prince Albert, Prince Albert city, Redberry and Batoche ; the total vote polled in these five amounted to 2,140. They are to have one member each. Compare this with Souris, which, under this distribution, is to return only one member. Souris polled 2,544 votes, over 400 votes more for this one constituency than were cast in these five northern constituencies. With two exceptions, every one of the sixteen southern constituencies polled more votes in the last election than the northern constituencies. The question might well be asked : How comes it that the voter in the south is not considered equal to the voter in the North ?

I find that there has been a radical departure, in the case of the province of Saskatchewan, from the rule laid down by the Minister of the Interior (Mr. Oliver) in regard to the representation of cities. The hon. gentleman was very positive that certain principles ought to be adopted in dealing with rural populations as compared with urban populations. As reported in 'Hansard,' page 8300, the hon. gentleman said :

> Mr. OLIVER. Population is one thing and there are many others. But there is one universal principle and it is that a purely rural population, a population of producers creating wealth in the country is always given a greater share in the government than an equal number of consumers.
>
> Mr. HAGGART. That is so in no place.
>
> Mr. OLIVER. In every place. On what other grounds are the cities of our country so unjustly treated by comparison of population in being under-represented compared with the rural constituencies ?

Later on he said :

> The rule has always been applied throughout the provinces of the Dominion, and it is being applied in the Northwest now, and it would be improper if it were not so applied.

Now, this is a very definite statement of policy. How is that policy applied in the province of Saskatchewan? It is applied in the case of Alberta in a way that may be quite satisfactory to the hon. gentleman himself. But in Saskatchewan we find that the government propose to give one member each to the city of Regina, with 740 votes polled on November 3rd, and 933 votes on the list; Moosejaw, with 786 votes polled and 1,000 on the list; and Prince Albert, with 542 votes polled and 740 votes on the list. Why should these three cities be given separate representation, when you have such thickly populated rural constituencies in the province? Compare any of these cities with the district of Souris, which polled 2,544 votes and had more than 3,348 names on the list, the area of this constituency being upwards of 3,000 square miles. Or compare any of them with South Qu'Appelle, with 1,930 votes polled and 2,692 on the list. Or compare it with Saltcoats with a population of 11,004 according to the last census, with 1,478 votes polled, and 2,327 names on the list. If these three cities are to be given separate representation why was not the town of Medicine Hat treated in the same way? The town of Medicine Hat has a larger population, a larger number of votes on the list and a larger number of votes polled than has the city of Prince Albert. If Prince Albert is to be given one member, why should not the town of Medicine Hat also be given one member? But we find that it has not suited the Minister of the Interior or the government to carry out in its entirety the principle so definitely laid down in the case of Alberta. It seems to me that in every single particular, they have departed from their principles in distributing the seats for the province of Saskatchewan. It will be within the memory of the House that, a few days back, the leader of the opposition (Mr. R. L. Borden) stated that in view of the fact that the Prime Minister had stated that it had been his desire on one occasion to have the distribution of seats submitted to a conference to the Northwest members on both sides of the House, he (Mr. R. L. Borden) was perfectly willing and anxious to have a conference in regard to the distribution of the seats in the province of Saskatchewan, if it was not too late. This suggestion was acted upon by the Prime Minister. The committee met and discussed the situation generally, I was one of the members of that committee, but, of course, I do not speak officially for the committee in any way. In the discussion it was found that the hon. member for Saskatchewan (Mr. Lamont) took an uncompromising position. He took the position that upon no consideration would he agree to fewer than nine members being given to what I have described as the northern part of the province.

Mr. LAMONT. Was not the position taken by the hon. member for Qu'Appelle (Mr. Lake) just as uncompromising, that he would not give nine members to that district?

Mr. LAKE. I will come to that presently. But the position that I have described was taken. The suggestion was then made by myself that although the northern portion was not even entitled to as many as seven members, I was prepared to give way to this extent—I would compromise on eight members for the north. I said: If you will come down one member I will compromise, I will take what I consider something a little better than you propose to give and I will compromise on eight.

Mr. LAMONT. The hon. gentleman is aware that I stated the government had already come down from ten to nine according to the government's first proposition.

Mr. LAKE. The government had come down apparently because they found their position too untenable even for their following on that side of the House. They had come down of their own accord. Then this conference was to take place and surely if the conference had been arranged there should have been some give and take on both sides. The member for Saskatchewan, however, took that position and I was not backed up by the other gentleman who was present at that time, at least not to the extent of voting down the member for Saskatchewan, and consequently it resulted in a deadlock. As to the distribution of representation between the northern seats and the southern seats I made the offer to compromise although from the figures I have shown, the northern portion was not entitled to seven seats, still I was prepared to say: We will settle this matter without further dispute, let us say eight.

Mr. LAMONT. Which of the northern seats would the hon. member cut out?

Mr. LAKE. Of course there would have to be a general rearrangement of the northern seats made after mutual discussion of the counties. This, as I say, limited the discussion just to the limits of the constituencies in the north and the limits of the constituencies in the south. I took the position at that time, and I took it strongly, that cities of such comparatively small population should not be given separate representation, that they should be thrown in with the rural constituencies. I took the position that a member for a city in the legislative assembly of Saskatchewan will have very little to do, that, as is well known, the members for rural constituencies have a very large amount to do in connection with the representation of their districts; they are constantly applied to in regard to public works and many other matters of local interest. I took the ground that the city members would have little to

do, and it would be better to put the cities in with rural constituencies and to redistribute these rural constituencies, and to give every member of the legislative assembly a certain amount of country to look after. I thought that would be the fairest distribution to ask, but this was met with a positive refusal and a statement that it was impossible to go back and take away the representation which had now been promised to the different cities.

Mr. SCOTT. My hon. friend is aware that it is only to cities which are incorporated by the legislative assembly, of which until recently he was a member, that the members are being given. There are only five incorporated cities in the Territories and each one of these has been given a member.

Mr. HAGGART. What difference does the incorporation make?

Mr. SCOTT. It shows that they are people of great enterprise.

Mr. LAKE. It shows a certain amount of ambition, nothing else. The member for West Assiniboia (Mr. Scott) then proposed to group certain constituencies together to provide for a seat which appeared to be very badly needed in the southern portion of the province. I disagreed with him in reference to one of his proposals, but I am prepared to agree to such a redistribution if a suggestion which I made would be accepted. I do not know whether the hon. member is prepared to bring a suggestion based on that.

Mr. SCOTT. Is my hon. friend prepared to say that his suggestion would bring about that equality for which he is arguing this afternoon ?

Mr. LAKE. It would be bringing it about considerably better than by the plan proposed by the member for West Assiniboia. He proposed to take Moosomin, Whitewood, Grenfell and Wolseley, four of the oldest constituencies in the country, which are filled with the pioneers who have made that country, to group these together and give them three seats and to take the seat we thus save and place it where I think a seat is badly needed, along the Soo line. I proposed that this seat should be provided for in another way.

Progress reported.

At five o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

MESSAGES FROM THE GOVERNOR GENERAL—FURTHER SUPPLEMENTARY ESTIMATES.

Hon. W. S. FIELDING (Minister of Finance) delivered a message from the Governor General.

Mr. DEPUTY SPEAKER read the message as follows:

The Governor General transmits to the House of Commons supplementary estimates of sums required for the service of the Dominion for the year ending 30th June, 1906, and in accordance with the provisions of the British North America Act, 1867, the Governor General recommends these estimates to the House of Commons.

(Sgd.) GREY.

Mr. FIELDING moved that the message of His Excellency, together with the supplementary estimates, be referred to the Committee on Supply.

Motion agreed to.

Mr. FIELDING delivered a message from the Governor General.

Mr. DEPUTY SPEAKER read the message as follows:

The Governor General transmits to the House of Commons further supplementary estimates of sums required for the service of the Dominion for the year ending 30th June, 1905, and in accordance with the provisions of the British North America Act, 1867, the Governor General recommends these estimates to the House of Commons.

(Sgd.) GREY.

Mr. FIELDING moved that the message of His Excellency, together with the further supplementary estimates, be referred to the Committee of Supply.

Motion agreed to.

PROVINCIAL GOVERNMENT IN THE NORTHWEST.

House again in committee on Bill (No. 70) to establish and provide for the government of the province of Saskatchewan.—Sir Wilfrid Laurier.

On section 12, Legislative Assembly.

Mr. LAKE. Mr. Chairman, I was referring this afternoon to the proposal which had been made by the hon. member for West Assiniboia (Mr. Scott) in regard to grouping four constituencies on the main line of the Canadian Pacific Railway, adding to them small portions of two constituencies, which lie to the north, making three new constituencies out of the original four and giving the one constituency which has been thus saved to the Soo line. While I am strongly in favour of a constituency being given to the Soo line, I object to the constituency being formed in that way. I held that these four constituencies on the main line were settled in the earliest stages of the country. The greater part of this area is occupied by people who are amongst the oldest settlers, who have exercised their franchise for years and who have contributed largely to the building up of the country. In addition to that I have another objection, and it is that these four seats have a larger average voting population than

the average voting population which the whole of the province has as obtained by the even distribution of the voting population of the province into 25 different seats. I find that the average number of names on the voters' lists in these districts is 1,554, while the average for the whole of the province would be 1,529. I suggested as an alternative, provided there was a positive refusal to grant the extra seat from the northern portion of the province where I consider it should come from, that the three Regina seats should be altered as regards their area and that one of the seats, the south Regina seat, or a portion of it, should be given to the Soo line. I found that the three Regina seats, Lumsden or North Regina, Regina city and South Regina, on the average had only 1,344 voters on the voters' list, and I thought that the adoption of my suggestion would be a proper way of finding an additional constituency to provide for the people along the Soo line, who, I think, are justly entitled to have a representative of their own. They have forwarded to me a copy of a resolution, which they have also forwarded to the hon. member for West Assiniboia and the hon. Minister of the Interior, on the subject. During the discussion which took place in this committee I submitted a tentative suggestion of my own showing how the constituencies might be divided up in the new provinces in such a way as to give a fairly even distribution of votes to each constituency. I did this for the purpose of demonstrating that it was possible to make a comparatively even distribution, a distribution based on existing conditions, that is to say, by preserving as far as possible the constituencies as they exist at the present time and giving additional representation where the additional population and the additional number of votes on the list appear to demand. This distribution which accounted for seven seats in the northern portion of the district and eighteen seats in the southern portion, even then gave an advantage of 8 per cent to the northern constituencies. The suggestion was, of course, purely tentative; it was drawn up after a pretty close examination of the vote that was polled and was marked on the map which I had in my possession, but without any very prolonged consideration of the matter. On the whole, I think it met the purpose fairly well, and I believe it could have been made into a very good distribution indeed if the committee had discussed the details and had made alterations here and there where the local conditions would appear to demand them. Although I left the map with the constituencies marked in it and the figures showing the vote of each constituency with the Liberal members of that committee, I have heard nothing more on the subject from them since; it appears to have been ignored. I would like to put on record the constituencies which I proposed, the area of each and the number of voters in each according to the lists, as near as I could estimate. I first proposed to divide the present constituency of Souris into two constituencies, one of which, the old district of Souris, would have 1,684 voters on the list and an area of 1,188 square miles. The second constituency—to be named as the committee might decide—would have 1,593 voters on the lists.

Mr. SCOTT. Would the hon. gentleman say how many votes were cast last fall in the proposed district of Souris?

Mr. LAKE. It was absolutely impossible to say how many votes were cast in any of these constituencies; the government may be able to find that out by some method unknown to me.

Mr. SCOTT. The hon. gentleman (Mr. Lake) took the responsibility of preparing a map based entirely on the vote polled last fall. He has contended strongly that the vote cast last fall, and that alone, was the proper basis for this distribution.

Mr. LAKE. I have never contended it was the proper basis. I have said it was not the proper basis on every occasion I have had an opportunity of speaking on this question.

Mr. SCOTT. Was not that the plan on which my hon. friend prepared the map?

Mr. LAKE. Certainly not; it was based on the number of voters on the lists. How is it possible for any one to say how many votes were cast in each of these districts? It constantly happens that a polling division which was created for the purpose of the Dominion election lies in two different local constituencies. We could tell exactly how many voters there were on the lists in each of these constituencies, but it is practically impossible to tell how many of them cast votes unless you get at the returning officer's book, which, I believe, is under seal in the hands of the Clerk of the Crown in Chancery. I do not know if that is the way in which the government have got at the figures they have submitted; I have taken the figures of the government all through, not that I think they are absolutely reliable, but at all events sufficiently so to enable one to make a comparison. I said that the second constituency into which the old constituency of Souris is divided would have 1,593 voters on the list and 1,836 square miles. A part of Cannington would also go to a new constituency, which would take in the Regina-Arcola branch, from Arcola some little distance westward. Cannington would have 1,460 voters on the list and an area of 1,332 square miles. The other Cannington constituency would have 1,456 voters on the list and 2,340 square miles of area. The old district of Moosomin would have 1,895 voters on the list and an area of 1,165 square miles; Whitewood would have 1,357 voters on the list and an area of 1,335 square miles; Grenfell would

have 1,497 voters on the list and an area of 1,440 square miles; Wolseley would have 1,441 voters on the list and an area of 1,120 square miles; Saltcoats, 1,663 voters on the list, area, 2,736 square miles; Yorkton, 1,711 voters on the list, area, 2,484 square miles; North Qu'Appelle, 1,541 voters on the list, area, 4,536 square miles; South Qu'Appelle, 1,655 voters on the list, 900 square miles; North Regina, 1,600 voters on the list, area, 3,780 square miles; South Regina, 1,600 voters on the list, area, 540 square miles; Soo, a new constituency along the Soo line, which was to take in a portion of South Regina, South Qu'Appelle, Souris and a small portion of Cannington, would have 1,504 voters on the list and an area of 8,016 square miles. I proposed to divide Moosejaw, and instead of giving a city constituency and a country constituency I proposed two constituencies which would probably meet in the near vicinity of the city of Moosejaw. North Moosejaw would have 1,313 voters on the list and an area of 8,820 square miles; South Moosejaw, 1,550 voters on the list, area, 5,184 square miles; Maple Creek, 1,303 voters on the list, area, 28,152 square miles. This will give an average of 550 voters on the list of each one of these eighteen constituencies in the south. Then I proposed to divide the northern constituencies as follows: Kinistino, 1,385 voters on the list, area, 22,716 square miles.

Mr. LAMONT. How many square miles in Kinistino?

Mr. LAKE. 22,716.

Mr. LAMONT. I do not think that is right; you are not taking in all of the district.

Mr. LAKE. It is not the old original district of Kinistino; a good many of the constituencies I propose are slightly changed.

Mr. LAMONT. You are not taking in the whole division of Kinistino according to your own map; you are not including Athabaska.

Mr. LAKE. Of course, this is exclusive of Athabaska, and the figures which were given this afternoon were also exclusive of Athabaska. In regard to Athabaska, as the Prime Minister said, there are only a few wandering hunters and Indians there, and I thought that for such a purpose as this it would be unnecessary to include that area. I continue: Prince Albert, 1,427 voters on the list, area, 7,572 square miles; Batoche, 1,551 voters on the list, area, 10,908 square miles; Rosthern, 1,601 voters on the list, area, 950 square miles; Saskatoon, 1,535 voters on the list, area, 1,280 square miles; Redberry, 1,200 voters on the list, area, 14,292 square miles; Battleford, 1,279 voters on the list, area, 15,552 square miles. This is the division of constituencies I proposed, given in tabulated form:

	Voters on list.	Area exclusive of Athabaska.
Souris	1,584	1,188
Alameda	1,593	1,836
Cannington	1,460	1,332
Forget	1,456	2,340
Moosomin	1,895	1,165
Whitewood	1,357	1,335
Grenfell	1,479	1,440
Wolseley	1,441	1,120
Saltcoats	1,663	2,736
Yorkton	1,711	2,484
North Qu'Appelle	1,541	4,536
South Qu'Appelle	1,655	900
North Regina	1,600	3,780
South Regina	1,600	540
The Soo	1,504	8,016
North Moosejaw	1,313	8,820
South Moosejaw	1,550	5,184
Maple Creek	1,303	28,152
Average 1,550.		
Kinistino	1,385	22,716
Prince Albert	1,427	7,572
Batoche	1,551	10,908
Rosthern	1,601	950
Saskatoon	1,535	1,280
Redberry	1,200	14,292
Battleford	1,279	15,552

This will give an average of 1,425 voters on the lists of each of these Saskatchewans, or I should say northern constituencies. I have avoided as much as possible using the word Saskatchewan as applied to the old district of that name, for fear it should get confounded with the name of the new province. As I said before, the distribution which I propose does give an advantage of about eight per cent in favour of the northern constituencies. This is practically unavoidable, because the number which would be given under a fair distribution based on the number of voters on the list would give a fraction of a constituency both north and south. As I have said, I do not consider that the proposal which I made was in any way perfect. I thought, however, that I should not go to this committee prepared only to criticise the existing schedules, but prepared to make an offer of something which I considered to be a fair distribution, and I hoped the committee might take this as a basis for working out something that would be satisfactory to all the members of the committee. However, that apparently was not to be, and I have heard nothing more about that proposal. It seems to me that the result of the conference is one which was to be expected under the circumstances, when certain members took an absolutely uncompromising attitude which made it impossible to arrive at anything useful in the way of readjustment. It seemed to me that the only possible way to get a fair distribution of seats was by an independent commission, and I am very sorry that the government did not take this opportunity, which I consider was a very good one, to initiate this principle of distribution by commission. I think it would have been much to the credit of the great party now in power if they had been the first

to take practical steps in that direction. I greatly regret that from the action taken by the government it seems impossible for us to obtain that independent commission for this purpose. There is just one thing further I want to say, that is, that I have been making this argument on the basis of the votes polled. I consider that that was the only fair way to look at the matter, because the Minister of the Interior had told us most distinctly that that was the basis upon which he had made the distribution.

Mr. SCOTT. That is the point I questioned my hon. friend about a few moments ago—whether he had not made his map on the basis of the votes cast.

Mr. LAKE. I made that map on what I considered to be the fairest basis—the number of voters on the list. I have made my criticism of the government's proposal on the basis of the number of votes polled, because that was the basis on which they had made the distribution. In criticising their distribution, it seems to me to be only fair to take the basis they set for themselves. This is what the Minister of the Interior said :

> The definite division of the constituencies is based on the vote actually polled on the 3rd November as the closest and most recent date upon which reliable information can be got.

I myself consider the fair basis on which to make the distribution is the number of voters placed on the list for the election of the 3rd of November last. The enumerators who drew up those lists were government employees of the administration here at Ottawa, and I presume that they would endeavour to do their duty to the best of their ability. At any rate, they would endeavour to put as large a number of names on the list as possible of persons entitled to vote. That was the nearest I thought we could get to a fair distribution. I do not pretend that that would be an absolutely positive standard. It is imposible to declare that of any basis, except a census taken within a month of the drawing up of the schedule, because of the rapidity with which the population of the Northwest is changing at the present time. I do not think I need add anything further to what I have said with regard to this distribution. The figures which I have read, provided by the government in regard to the schedules which they have submitted to the House, speak for themselves far more eloquently than I could possibly hope to do.

Mr. LAMONT. Would the hon. gentleman state which of the northern constituencies he objects to, or which he has cut out in his distribution ?

Mr. LAKE. I handed the hon. gentleman my map a couple of days ago, and he knows exactly what it is.

Mr. LAMONT. I am at liberty, then, to lay that on the table ?

Mr. LAKE. I have no objection at all. He can put it anywhere he likes ; he can put it on 'Hansard' if he likes. I am prepared to stand by that distribution as a far fairer one than that presented to us by the government. I merely desire to point out and to accentuate the fact that in spite of the statement of the Prime Minister that the prime object was as far as possible to give equality of numbers in the different electoral districts, and in spite of the statement of the Minister of the Interior to which I have just referred, that the definite division of the constituencies was based on the votes actually polled on the 3rd of November, I find that the schedule has apparently been drawn up with an absolute disregard of all the principles which were laid down as those which guided the government in making the distribution. A distribution has been made based, it seems to me, if it was based on anything at all, on the vaguest and most sanguine estimates of the prospective population of the northern part of the province, and less sanguine estimates of the prospective population of the southern portion of the province. This distribution practically gives double the representation, man for man, to the newer population who are going into the newer country which is being opened up to the north. That population is composed largely of late arrivals who do not understand the political questions of the day in Canada, and who are far too busy, as all men who go into a new country are, in getting started, to study these questions and to form personal opinions upon them. And over this population it cannot be doubted that the Dominion government exercises a considerable amount of influence. Only half the representation to which they are entitled on a fair distribution is apparently given to the older settlements of the south —the men who have built up the country, who have taken such a leading part in governing it up to the present, and who, I think, have governed it with a very fair amount of success. The distribution shows the most extraordinary discrepancies in individual constituencies, varying from 178 votes cast in Humboldt and 277 cast in Redberry in the recent election—and the votes cast at the recent election is the basis upon which these constituencies were constructed —to 1,930 in South Qu'Appelle and 2,594 cast in the district of Saltcoats. That is to say a voter in Humboldt practically exercises as much voting influence as fourteen in the old district of Saltcoats, and a voter in Redberry exercises as much influence as seven in the district of South Qu'Appelle.

Mr. LAMONT. Will the hon. gentleman say whether in his opinion those American settlers have gone into Humboldt and Redberry in such large numbers, but who had not been long enough in the country to vote

last fall, are entitled to representation in the local House ?

Mr. LAKE. Why did not the Minister of the Interior make that the basis of the distribution of seats?

Mr. LAMONT. As a matter of fact, does the hon. gentleman think they should be represented?

Mr. LAKE. I certainly think the population of this country should be represented in the legislative assembly no matter who they are. One man's vote should be just as good as another.

Mr. LAMONT. Even although they have not been long enough in the district to vote?

Mr. LAKE. The hon. gentleman will have an opportunity in a moment or two of making his speech. In one of his constituencies, to which they are only given one member, and which cast a very large number of votes last year, the district of Saltcoats, there were upwards of 11,000 inhabitants. Should they not have a proportionate say in the representation of the country just as well as the other new settlers. If the hon. gentleman will take one basis and go on that throughout, I am willing to support him. I believe the fairest basis to be just now the number of votes placed on the voters' list by the officials of the Dominion government on the 3rd of November last. Here is another comparison I would like to make before sitting down. Ten southern constituencies cast upwards of 1,100 votes each—one of them as high as 2,500. There are three northern constituencies which, grouped together, did not cast 1,000 votes among them. That appears to me an extraordinary condition of affairs. The three northern constituencies are Redberry, Humboldt and Prince Albert. Prince Albert city and Prince Albert rural district get a very ample representation—far more than they are entitled to on an even distribution. I might refer to that question of Prince Albert which I mentioned just now. Prince Albert, city and country together, cast 1,026 votes. There is another constituency in the northern part of the district, the district of Kinistino, which the government proposes to form. That district has an area, outside of Athabaska altogether, of 25,000 square miles odd. The two districts of Prince Albert have between them only an area of 6,555 square miles. The vote cast in the district of Kinistino was 1,029. That is to say, even with that enormous area the vote cast in the district of Kinistino was in excess of that cast in the two constituencies alongside, to which the government proposes to give two representatives. I may have something more to say on this matter later on. For the present I shall content myself with submitting what I consider a fair and moderate criticism on the question before the committee.

Mr. SCOTT. My hon. friend's criticism on the Saskatchewan redistribution schedule is very much milder than a great deal of the criticisms we have seen in the Conservative press throughout the country during the past three or four months, or some of the criticisms we have heard in this House. I think it was the hon. gentleman's leader who said that he found in these distribution schedules the worst gerrymander that had ever been perpetrated anywhere in the world, even the United States.

Mr. R. L. BORDEN. I was not speaking of this one. I was speaking of Alberta, and may speak of this one presently.

Mr. SCOTT. I am very glad to find the hon. gentleman much more disposed to agree that the Saskatchewan schedule is fair.

Mr. R. L. BORDEN. You will find out about that.

Mr. SCOTT. My hon. friend from Qu'Appelle (Mr. Lake) feels disposed to make his criticism milder. He has within recent days taken the responsibility of making a map and has found that it is much more difficult to make a proper distribution than offer criticism. When he spoke a few evenings ago in criticism of the Saskatchewan schedule, he was horrified to find the area of the district of Maple Creek in comparison with the area of the district of Rosthern. I am surprised to find that in the map——

Mr. LAKE. The hon. gentleman is not giving a fair estimate of my remarks on that point. I compared the area and the vote.

Mr. SCOTT. For what purpose?

Mr. LAKE. The two together.

Mr. SCOTT. My hon. friend asked the committee to look at the area of Maple Creek in comparison with the district of Rosthern. I find upon his own map that he has actually added to the area of Maple Creek by something over 6,000 square miles. And in the district of Rosthern he has cut off a township or two and actually makes it smaller than it is in the schedule presented by the government. I find also that one of his pet districts, the district of Wolseley, which is certainly not a very large district even upon the government map, he has reduced by some three townships. Wolseley did not cast a very large vote either last fall. They didn't have a large registered vote last fall. And, consulting other statistics, we are led to believe that the population of Wolseley has not been increasing as fast as that of other places.

Mr. LAKE. How many votes were cut off the district of Wolseley ?

Mr. SCOTT. If my hon. friend (Mr. Lake) found a district that was not exceptionally large, that was, in fact, rather on the small side, which did not cast a vote last fall equal to the average, what was his purpose in reducing the size? I am not offering these observations in criticism

of the hon. gentleman's map, but I am trying to show the committee, and particularly my hon. friend (Mr. Lake), that it is much easier to criticise a distribution map than it is to frame one. We have had, as I have already said, from the Conservative members, the most vehement denunciation of these proposals. The leader of the opposition declared that the distribution of Alberta was the worst gerrymander there had ever been in the world—he could not find anything to equal it in the United States. When my hon. friend from Qu'Appelle (Mr. Lake) was criticising the Saskatchewan distribution a few evenings ago, he referred to the last federal redistribution. It may not be out of order for me to make some observations on the redistribution made by this parliament in 1903. In the first place, who made the federal redistribution of 1903, so far as the Northwest Territories are concerned? Was it the bi-party committee of which the hon. Minister of Public Works (Mr. Hyman) was chairman? No. We have the evidence of the leader of the opposition himself that the matter of redistribution of the Northwest was referred to a committee of gentlemen representing the Northwest Territories, senators and members of this House, representing both sides of politics. It did not take us more than fifteen minutes to reach an agreement. Does the hon. gentleman think that that redistribution was not a fair one? Does the hon. member for Qu'Appelle claim that it was unfair? Does the hon. member for Alberta (Mr. Herron) claim that it was unfair?

Mr. M. S. McCARTHY. If you will adopt it for Alberta.

Mr. SCOTT. I am speaking of the federal redistribution two years ago.

Mr. M. S. McCARTHY. Adopt that and we will be satisfied.

Mr. SCOTT. The hon. gentleman (Mr. M. S. McCarthy) is willing to admit that it was a fair redistribution——

Mr. M. S. McCARTHY. For Alberta.

Mr. SCOTT. Perfectly fair as between the parties.

Mr. M. S. McCARTHY. For Alberta.

Mr. SCOTT. Yes, and for Saskatchewan. And perfectly fair as between the north and south. At that time those who made that redistribution did not look upon it as a matter involving a division between north and south or any difference between the parties. At that time the northern part of the country was not looked upon as more Liberal than the southern part. I will recall to the memory of members of that committee—and I think that they will say that I am stating the facts correctly—that prior to the 3rd of November, nobody had any idea that the vote would be as it proved. In fact many expected that the Minister of the Interior (Mr. Oliver) was going to be defeated in the district of Edmonton. On the other hand the Liberals were just as confident that they would carry the district of Alberta as they were that the Liberals in the person of the Minister of the Interior would carry the district of Edmonton. The 1903 distribution was not looked upon as a disputed question between the north and south or as between the parties. There was in that sub-committee on redistribution no consideration of party or any other advantage; we approached the work with the simple desire to make a fair and equitable distribution on the basis of census figures, allowing for expected increase of population to take place within the next few years. If hon. gentlemen will look at the map of this federal distribution, they will find that there were five southern seats, as they may be called, south of the north line of township 34 between the Rocky Mountains and the elbow of the Saskatchewan, being about north of Swift Current, and the line north of township 24 from the elbow of the Saskatchewan to the Manitoba boundary line. And as there were five constituencies south of that line, so there were five to the north. I think every one will admit that that redistribution was perfectly fair in a party sense. That being admitted, let us consider how it was as between the north and the south. We find that in two western ridings of the north district there was a total of 11,000 votes in November, as against 9,000 in the two ridings in the south district. So, there was no unfairness to the southern part of the country in that.

Mr. M. S. McCARTHY. I pointed out, when discussing this matter before, that the constituency of Alberta did not go as far east as the fourth meridian.

Mr. SCOTT. There were two constituencies in the western part of the north district and two in the western part of the south district. And the division of 11,000 votes to the north and 9,000 to the south was certainly not unfair to the south. I think that it must be admitted that that redistribution as adjusted to the circumstances then known, was a fair and equitable distribution. Now, as between the three north districts in the proposed province of Saskatchewan and the three south districts in the same, there was a great disparity of votes on the 3rd of November last. Nobody expected anything else. Those who prepared this redistribution expected that there would be a larger vote in the three ridings of the south than in the three ridings of the north; and that expectation was realized. It was also expected that the population in the northern part would thenceforth increase very much more rapidly than that in the southern part. And if that expectation was reasonable two years ago, it is more reasonable now, because two lines of railway are now being constructed across the northern

part of the country; and everybody who knows anything about that country and the effect upon a new country of railway construction knows that in the near future there will be an enormous increase in the population of the northern part. I venture to say that at this moment there is very much less disparity between the populations of the three northern federal constituencies and the three southern federal constituencies than there was last November. And it may be that before this parliament dissolves the lines will have to be recast, because of there being a majority of people in the north. Now, it is perfectly proper for this committee to consider how this local distribution fits in with the federal redistribution of two years ago. And, if we keep in mind this line between the north and south that I have given, it will be found that twenty-six seats are given by this Bill to the south five ridings as against twenty-two to the north five ridings, the other two going to the far north country which, up to this moment has been unorganized territory. I may not be able to make that as an absolute statement. If we split hairs we may find a slightly different result. I will take the calculation made the other evening by my hon. friend from Qu'Appelle (Mr. Lake) who stated that the three south ridings in Saskatchewan are given thirteen and one-half seats as against eleven and one-half to the three north ridings. It seems to me that if the federal division of three to three was a fair division two years ago, and is a fair division now, and likely to be fair up to the end of this parliament, it cannot be contended that there is unfairness to the south in the present proposed distribution of 11½ to 13½. And as a matter of fact the map has been amended taking one seat from the north and giving it to the south. We have then, according to my hon. friend's calculation, 14½ seats given to the three federal ridings south of the dividing line as against 10½ for the three north of that line. I might call to the attention of the committee the fact that a portion of one of the south ridings is taken away and put into the province of Alberta, the Medicine Hat constituency. Thus really the proper calculation would show 15½ to the south three ridings as against 10½ to the north three. So really without splitting hairs it may be stated that the south country, the old Assiniboia district, is getting 16 seats while only 9 are given to the north or Saskatchewan district. I ask any fair-minded person where he can find unfairness in this new redistribution. In 1903 certain areas were treated equally, and in this redistribution any difference that is being made is largely to the advantage of the south country. It seems to me it is impossible for any person to find any outrage in this. I do not think the leader of the opposition (Mr. R. L. Borden) will be able to find, in this Saskatchewan plan at all events, those evidences of gerrymander which seemed to bother him so much in the case of Alberta. It seems to me it will be difficult for any one to find in this Saskatchewan redistribution traces of that Italian hand, of the work of that Italian gentleman of whom we have heard so often, Monseigneur Sbarretti. I say that no cry has ever been uttered in this country with less justification than the cries in regard to these plans of redistribution. I had a brief dispute with the leader of the opposition one evening with regard to the question whether or not any parliamentary body had ever considered the question of area together with the matter of population in making a redistribution. I asked my hon. friend how he explained the disparity that was permitted by this parliament when Manitoba was first given representation, in the year 1870. Manitoba was at that time given four members, when the population of the province did not entitle it to one member. A few years later the Northwest Territories were given representation in this parliament and although their population would not have entitled them to one member, parliament made provision for four members, and in like manner when British Columbia was brought in provision was made for six members when the population would not have entitled that province to one third of that number. My hon. friend took very strong grounds; he declared absolutely that area was never made a basis of representation in a redistribution and he challenged me to produce the contrary evidence. I have gone to 'Hansard' of the year 1886, and at page 1205, I find that in the case of the Northwest Territories when the late Sir John A. Macdonald brought in a Bill to grant representation to the Territories he uttered these words:

> The population would scarcely allow of so many members, but, although the settlers are so few in number the country is large——

I think my hon. friend's predecessor was considering the question of area.

> —the country is large and has many different interests requiring many legislative measures, and following the example set by giving representation to the province of Manitoba, many years ago——

Evidently the same rule was applied in Manitoba, area was considered.

> —when it had a very slight population, we propose to give the Territories four members——

Now I wish to repeat that, in my opinion at all events, all this talk of gerrymander that has been going on for the last three or four months, since these plans were brought down, is pure and arrant nonsense. If any political advantage was to be found in these schedules does my hon. friend think the Liberal journal in Calgary would be complaining or that the Liberal candidate

in Calgary at the last election, Dr. Stewart, would be complaining, or that that very pronounced Conservative journal, the Edmonton 'Journal' would be strongly maintaining these schedules? Would we see these things if any political disadvantage was to be found in the schedules against the interests of my hon. friends opposite?

My hon. friend from Calgary (Mr. M. S. McCarthy) took the responsibility one evening of saying that there was a gerrymander involved in the dividing line selected, the 4th meridian, but it remains for him or any other person to show how the political interests of the Liberals or Conservatives are affected in any way by the selection of that line or could be affected by any other line.

Mr. M. S. McCARTHY. The fact is, as my hon. friend knows, that two Liberals were elected in the northern part and two Conservatives were elected in the southern part. I made the statement that the line had been moved too far west, further west than the point they adopted when dividing the country two years ago into federal seats. That was done for the purpose of throwing population to the north.

Mr. SCOTT. My hon. friend thinks the line should be placed further east?

Mr. M. S. McCARTHY. Yes.

Mr. SCOTT. That would not help his friend in Southern Alberta. The further east the line is put the more Liberals you have. If Alberta had been placed further east in the redistribution two years ago my hon. friend (Mr. Herron) would not be here. I make this proposition to the hon. member for Calgary: He can take the map and divide the country in any way he chooses, he may apply a mathematical rule with regard to area or with regard to population and see what he gets. Or let my hon. friend the leader of the opposition (Mr. R. L. Borden) set the best expert on gerrymander that he has to work on these maps, and I venture to say he cannot produce a map in any manner or shape which will not show a Liberal majority in both provinces. What is the use of charging gerrymander simply because possibly these plans when worked out on last fall's vote show a Liberal majority in these provinces, if my hon. friend cannot produce any map which will not do so? It is not only the northern part that is Liberal, even by last fall's vote. It is true the north gave a Liberal majority of 7,000, but the south also gave a Liberal majority, and the best possible proof that there is no injustice is that in the five south ridings there was a Liberal majority of fully 1,000, but nevertheless our friends opposite have three members to our two. If the lines had not been put just where they were some of our hon. friends opposite would not have been here. If you change Qu'Appelle in almost any conceivable way, take off or add on a range on the east, or take off or add on a range on the west, or take off or add on a line of townships on the north to the district of Qu'Appelle and my hon. friend would not be here. It is the same with regard to the member for Alberta, as I have stated. If he had the whole southern part of Alberta, the province as produced down to the 4th meridian, he would not be here at all. I got a considerably larger majority in the Medicine Hat country in the province of Alberta than the total majority upon which the hon. member sits in this House. I am going to say that, so far as I am concerned, I do not propose to attempt to justify this distribution by the plethora of figures which were produced in the case of the Alberta Bill. I shall not attempt to justify the Saskatchewan schedule on such a basis, in fact I was discouraged at the commencement from going into figures by the action of the hon. member for North Toronto. The Minister of the Interior produced figures with regard to post offices, school districts, local improvement districts and all manner of things, but the hon. member for North Toronto (Mr. Foster) at once said that these were all nonsense and had no bearing on the question, so I shall not attempt to inflict the same figures on the House.

Mr. M. S. McCARTHY. You had better not.

Mr. SCOTT. I will say this, that there never was a redistribution plan presented in this parliament, or in any provincial parliament in this country, that could be so absolutely justified as that Alberta redistribution was justified by the Minister of the Interior. However, there was a very material difference in the cases of Alberta and Saskatchewan. In the case of Alberta ten seats had to be added to fifteen, and it was necessary to very largely recast the lines of the old districts as they had existed for the purposes of representation in the legislature. In the case of Saskatchewan, on the other hand, we were only compelled to add five to twenty seats, making it a very materially different proposition. Following the general plan which was agreed upon at the outset, of giving incorporated cities a seat, we found it possible, by allowing three of the five to go to the north and two to the south and by putting the two in the south in the two cities of Regina and Moosejaw, to leave the lines as arranged by the legislature three years ago absolutely untouched. There is not a single point of material change in the whole district of Assiniboia. I would say to my hon. friend from Qu'Appelle that if we take his word for it, and he has given us his word, that the distribution made by the legislative assembly was as near perfection as it was possible to make it, we will have to come to the conclusion that the greater part of this

plan—because the greater part applies to Assiniboia—is perfection, too. I would ask the committee, fairly looking at the subject, looking at the maps and at the facts before it, if it is not fair to give the north country three of these five additional seats and the south country two of these seats? The fact is admitted by the committee that we cannot afford to go on the census of 1901, that the changes since that time have been too great, and I say it is not fair to go exactly upon the vote of last fall, because there were in some parts of the country large blocks of men who, although already in the country, had not been there long enough to enable them to be naturalized, and were therefore not permitted to vote. We must go to some extent upon estimate, and the best estimate that can be made in regard to that part of the country will be somewhat speculative. I would not take the responsibility of saying that the government plan will work out absolutely fairly. If we may be permitted in two, or three, or four years hence to get the actual population within these lines, it may be found in some surprising ways that the plan the government asks the House to adopt at the present moment is not an absolutely fair plan. I would not say that if we had given Saskatchewan four of these additional members, as was proposed in the first government plan, that would be found in the end to work out unfairly, or if we turned the proposition around and gave the three additions to the south and only two to the north, it might be that in two or three years hence that would be found to be a perfectly fair distribution. It must be remembered that we are providing for the next four years. It must be expected that the first legislature of the province of Saskatchewan will live out its life of four years, and keeping in mind the trend of immigration as we have had it in the past, as we have it at the present time, and as we may expect to have it, and remembering the new railway construction in the northern part of the country, I may say, as a southern man, as a man who lives in and represents a southern constituency, that I am prepared to agree to the giving of nine of the seats under this redistribution to the north as against sixteen to the south. The point of difference between hon. members opposite and hon. members on this side of the House has come down to whether three of the additional seats should go to the north country or whether only two of them should go to the north country, and it may not be uninteresting for the committee to look at the history of the Northwest Territories in so far as representation is concerned. Some of these figures that I am going to give to the committee I would call the particular attention of the hon. leader of the opposition (Mr. R. L. Borden) to. He may finally come to the conclusion that there has been in past years in this country worse things done than ever were done in the United States in regard to gerrymanders. The first plan for representation in the Northwest Territories was based purely and entirely upon population. That was for the election of members to the old Northwest Council prior to the creation of the legislature. It was provided in the original Northwest Territories Act that as soon as any area of 1,000 square miles had 1,000 population it should be made a constituency and elect a member. Under that plan I find upon looking at the records that in the year 1885 Assiniboia had eight members in the Northwest Council, Alberta had four and Saskatchewan had only one. In 1887 I find that Assiniboia had eight members, Alberta five and Saskatchewan one. The population of Saskatchewan only entitled it to one member in the Northwest Council. In 1888 this parliament created the first legislative assembly in the Northwest Territories. A Conservative government was in power then, and, strange to say, they made a redistribution for that legislature. They did not refer the matter to the courts. That redistribution was made on this floor. Twenty-two elected members were provided for the legislature, and of these eleven were given to Assiniboia, six to Alberta and no less than five to Saskatchewan. What was the population? The previous census showed that Assiniboia had 16,408, Alberta 4,871 and Saskatchewan 1,792, exclusive of Indians. Those 1,792 people were given five members as against only six members for the 4,871 people in Alberta and the eleven members for the 16,408 in Assiniboia. Surely a terrible outrage was committed there. But nobody seemed to think it. Nobody said anything about it. Saskatchewan, in 1888, was given five members in a house of twenty-two members on a census population of 1,792, or an average unit of 358 souls for each seat; Alberta was given six members on a population of 4,871, an average of 812 per seat, or more than 100 per cent difference; while Assiniboia, with eleven members, had a population of 16,408, with a unit of roundly 1,500 as against a little more than 300 for Saskatchewan. On previous days we have been asked to point to a parallel case of this parliament providing a redistribution for a new provincial legislature. Here is a parallel case. This parliament did exactly what we are doing now in 1888 when creating the first legislature.

Mr. LAKE. In what year was the census taken?

Mr. SCOTT. Probably in the year 1885. I may say that I have gleaned these figures from discussions out of 'Hansard.' That was a real and terrible outrage, and doubtless the first thing the assembly did when they got an opportunity was to remedy this outrage. Five members given to that popu-

lation! Of course, they represented a very large portion of the country, and possibly area was considered, a very heinous offence in the opinion of the hon. leader of the opposition. Surely the Conservative government must have considered the area in granting five members to 1,700 people. Well, now, the legislature was convened, but there was not a word said in the legislature, as far as I can find, about that awful outrage; but, on the contrary, three years afterwards, although the population of Saskatchewan had not increased probably any faster than the population of other parts of the country, the first legislature in their first redistribution increased the representation of Saskatchewan to six members. Possibly in the year 1891 they had very recent census figures to guide them. I find that by the census taken in 1891 Saskatchewan had a population of 11,150, Alberta 25,277 and Assiniboia 30,372. Saskatchewan was given six members by the legislature, not by this parliament, with an average of 1,858 souls per seat, while Assiniboia was given eleven seats on a population of 30,372, or an average of 2,531, while Alberta was held down to 8 seats with a population of 25,277, or an average of 3,159, or pretty nearly 100 per cent there again, done by the legislature itself. I find that sixteen years ago this parliament gave Saskatchewan a representation of 5 seats out of 22, with a unit of only 358 population as against Assiniboia's unit of no less than 1,500. And 13 years ago the legislature itself gave Saskatchewan a representation of 6 out of a total of 26 seats with a unit of only 1,858 as against Alberta's unit of 3,159. Now we are giving the same district of Saskatchewan out of practically 50—because keeping in mind the province of Alberta we are dealing with the whole Territory—we are giving the Saskatchewan area 9 seats out of a total of 50. I find upon making a calculation—like my hon. friend (Mr. Lake) I would not be willing to swear to the last figure of this calculation, but roughly speaking it is correct—we are giving the Saskatchewan area 9 seats with a unit of roundly 2,850 population as against a unit of 3,250 for the balance of the Territory, if we take the last census, or a unit of 830 votes cast as against a unit of 930 votes cast in the balance of the Territories, if we take the vote last fall. If there was no outrage perpetrated by this parliament in 1888 and no outrage perpetrated by the legislature 3 years later, it seems to me it will be difficult to work up an outrage out of what is being proposed in this Bill. My hon. friend (Mr. Lake) has referred to some of the alternative propositions which were made at this recent conference between himself and his leader and some members on this side of the House. He complained very grievously in his criticism the other evening against the disparities not only between the north and the south, but against the disparities that existed in the part of the new province which is composed by the old district of Assiniboia; or at all events some of his complaints were based upon discrepancies which we find do exist even in that perfect distribution which was made by the assembly three years ago. He complained that Moosejaw had a very large area and a disproportionately large population. That is being remedied by this Bill. A seat is taken from the north and is given to the city of Moosejaw, leaving the district of Moosejaw in a fairly average position so far as population and votes cast is concerned. He complained also that certain of the other districts, Souris, Cannington and South Qu'Appelle, had disproportionate votes compared with some other districts, and what he said in that regard was perfectly true. But I think my hon. friend (Mr. Lake) himself will be the first to admit that there was no disadvantage to the Conservative party in any of these disparities to which he drew pointed attention. Take the district of Souris and the district of Cannington, which have a large population, these are the parts of the country in which my hon. friend from East Assiniboia (Mr. Turriff) got his majority last fall, and even the fact that Moosejaw had a disproportionate vote and a disproportionate population did not involve any disadvantage to the Conservative party, because Moosejaw is a part of the country which never gave anything else but a Liberal majority since it has existed. However, when the conference met, recognizing very clearly that there were unfair disparities in the old district of Assiniboia under the assembly's plan, and some of these disparities being such that the people of the local communities have sent down grievous complaints, I took it upon myself to suggest that even if we gave 9 seats to the north and held the south down to 16 seats, that did not compel us to have these disparities remain if we could arrive at an agreement as to the remedy. I suggested to my hon. friend (Mr. Lake) that there was a part of the country on the main line of the Canadian Pacific Railway to the eastern part of the province where the assembly's redistribution left the area very small, where also the vote last fall was comparatively small, and where the most reliable information that we can get goes to show that the population increase is almost infinitesimal in comparison with the increase in other parts of the country. I suggested that there were four districts, Moosomin, Whitewood, Grenfell and Wolseley, which might very fairly be put into three districts and that would enable us to provide a new district in the Soo line country with regard to which my hon. friend has made complaint. I may say that I have taken the liberty of drawing a map showing these changes. The officials of the department so far have been too busy to draw up the schedule to describe this map, but I think I can give in a very few moments a brief statement of the changes I propose

from the government map. Maple Creek is an enormous district in area, and I think it would be fair to cut it down a little, and so I propose to take off three ranges from the easterly edge and throw these three ranges into the district of Moosejaw. I think the district of Moosejaw can very well stand the addition of these three ranges. I change the northern boundaries of the districts of Maple Creek and Moosejaw from the north line of township 27 to the north line of township 26, thus taking an additional line of townships off Maple Creek and off Moosejaw and adding that line of townships to the northern districts, Battleford, Saskatoon and Batoche. Coming to the other part of the map I propose to add a range line to the district of Moosomin on the west side, taking it off the district of Whitewood. Coming over to the district of Wolseley I propose to take a range line off Grenfell and add it on to Wolseley, and then throw the districts of Whitewood and Grenfell into one. Thus I propose to make four districts into three. I propose to remedy the grievance with regard to Souris and Cannington by cutting off four ranges from the west of these districts. Then I propose to draw a line through the district of South Qu'Appelle on the north line of township 10. These portions taken off the districts of Cannington, Souris and the south part of Qu'Appelle will form a new Soo line district, according to the suggestion of my hon. friend (Mr. Lake).

Mr. LAKE. How far west does that district go?

Mr. SCOTT. I propose also to take two ranges off the district of South Regina. By this map South Regina would lose two ranges on the east side up as far as the north life of township 10. I have already said that we should not go on the population of last census as a basis, and I do not think it would be fair to go entirely on the vote last fall. I think the committee will agree with me that possibly the fairest basis that can be obtained is to take the census population together with the homestead entries that have been made in the various parts of the country since the census was taken four years ago; calculate that each entry is worth so many people, say three if you like; multiply each homestead entry by three, and by that means we will arrive fairly at what is the present population of these various parts of the country. Does my hon. friend from Qu'Appelle suggest that that is not a fair method?

Mr. LAKE. Certainly it is not a fair basis, to consider that a homestead entry in a new district will bring as many people into the country proportionately as a homestead entry in an old district. It is not a fair basis for showing the increase of the population.

Mr. SCOTT. I think the committee will agree with me that it is an approximately fair basis. We cannot arrive at the absolute facts with regard to the present population of that country. If we find a number of homestead entries in a particular area, and calculate that each entry will account for a certain number of people, and apply the same rule in all parts of the country we shall not be very far out. I find that in these four districts of Moosomin, Whitewood, Grenfell and Wolseley, which my hon. friend thinks is so unfair to suggest should be thrown into three, there was a census population in 1901 as follows: Moosomin, 5,163; Whitewood, 3,733; Grenfell, 3,956; Wolseley, 4,059; making a total of 16,911. There have been homestead entries in these four districts since the census was taken as follows: In Moosomin, 631; in Whitewood, 690; in Grenfell, 1,038; in Wolseley, 1,131; a total of 3,490. Now, I propose to multiply these homestead entries by three, and I get this result—that the homestead entries mean an addition to the population in these four districts since the census was taken of 10,470. Add that to the census population, we get 27,421 as an estimated present population in these four districts. I may say that these four districts cast an aggregate vote last fall of 5,671. If we make them into three districts, we shall have a population unit of 9,140, and an average vote cast last fall in each of the three districts of 1,690. Now, my hon. friend objected very strongly to my proposition to make four districts out of Souris, Cannington and Qu'Appelle. I am going to present the same calculation in regard to them. The census population of these three districts in 1901 was as follows: Souris, 5,704; Cannington, 3,485; Qu'Appelle, 5,530; a total of 14,719. There have been homestead entries made in these districts as follows: In Souris, 2,998; in Cannington, 2,354; in Qu'Appelle, 2,865; a total of 8,217, as against a total of 3,490 in my hon. friend's four districts. Multiply this total of homestead entries by three, and we get an estimated increase of population in these three districts of 24,651. Add that to the total census population of 14,719, and we get a present estimated population for these three districts of 39,370 as against 27,421 in my hon. friend's four districts which I propose to make into three. Now, if I make these three districts into four, there will be a population unit for each of the four districts of 9,842 as against a population unit of 9,140 for each of the three districts which I make out of the four districts of my hon. friend; and I find that last fall we had an average vote in each of the four districts which I make out of these three districts of 1,889 as against an average vote in each of the three districts which I make out of my hon. friend's four districts of 1,690. Does my hon. friend tell me that that is not fair? Does he tell me that the suggestion he has made is a more equitable one? His districts are less in area, less in votes cast, less in

registered votes, less in homestead entries, less in every respect, than the three districts out of which I propose to get an additional district for the purpose of the new population on the Soo line. My hon. friend says these four districts are old settlements. So they are; but what does he propose to do? He proposes to get a district for that Soo line country from just as old a settlement as the district he is speaking about. He proposes to take the district of Lumsden, which polled a vote last fall considerably larger than the votes polled in some of these four districts which he has taken under his care, and which has so large an area that you could put almost the whole of those four districts into it, and which had about four times the number of homestead entries since the census was taken of any single one of those four districts of his, and he proposes to take twenty-one townships just south of Regina, the most thickly settled in the Northwest Territories, and add them to the district of Lumsden; and he calls that fair. He calls that leaving undisturbed the old settled areas. I have occupied the attention of the committee a great deal longer than I should have done or than I had any intention of doing. As we sometimes do the work in committee by conversation more than by set speech, some of the other information which I have may more properly be presented in that way.

Mr. R. L. BORDEN. The curious part of the schedule proposed for the new province of Saskatchewan is that every one of the arguments made by hon. gentlemen on the other side of the House, and especially by the Prime Minister and the Minister of the Interior, in the case of Alberta, is absolutely destructive of the schedule now proposed. In Alberta reliance was placed by this side of the House upon the federal distribution of 1903. A resolution based upon it was voted down. The hon. gentleman who has just spoken relies upon it in Saskatchewan. Reliance was placed by the Prime Minister and the Minister of the Interior on the principle that electors in rural constituencies should have a greater voice in the legislature than those in urban constituencies. That principle has been shown by my hon. friend from Qu'Appelle to have been entirely cast aside in the proposed distribution. Reliance was then placed on the voters' lists, coupled with information derived from the number of schools, the number of post offices, and the number of homestead entries. If you take the voters' lists, the schools, the post offices and the homestead entries, you will find that this proposed distribution cannot be sustained as an equitable division for one moment.

Take the census of 1901, which was relied upon to some extent in Alberta, and apply it to this, and you have most extraordinary results. In other words, if you take all the information and data, which were used for the purpose of supporting the Alberta division and apply it to Saskatchewan, you have the best possible argument to show that the latter is absolutely unfair, unjust and improper. My hon. friend from Qu'Appelle (Mr. Lake) has gone over the whole subject so thoroughly that not very much needs to be said in addition. Let us just take two illustrations—the district of Humboldt and the district of Souris. You will find that by the census of 1901 there were 582 souls in Humboldt and 5,704 in Souris, or nearly ten times the population in the one that is contained in the other. Each one of these is given a member. If you eliminate the Indians, you find the comparison still worse. Humboldt had in 1901 a population of 271 souls and Souris a population of 5,704. Each one of these districts is now entitled to a representative. Take the votes recorded—178 in Humboldt, 2,554 in Souris; votes registered, 298 in Humboldt, 3,348 in Souris. Between these two extremes you have every possibly variety of constituency that can be imagined, both as regards area and population. Another principle which has been absolutely cast to the winds is the supposed principle, relied upon in the case of Alberta, that the area was to be taken into consideration—that a constituency with a very large area might be entitled to a representative although it had a comparatively small population. Well, observe numbers 16 and 17. Number 16, Maple Creek, with votes polled to the number of 846 and registered to the number of 1,198, and an area of 20,699 square miles, is given one member. Humboldt, with 178 votes polled, 298 registered, and an area of 7,657 square miles, or about one-third the area of the other, is given one member.

Mr. ADAMSON. Are you aware of the present population of Humboldt?

Mr. R. L. BORDEN: I am not aware of it nor has any one been able to state it.

Mr. ADAMSON. I can state that the present population of Humboldt is between 8,000 and 10,000.

Mr. R. L. BORDEN. We are bound to give the hon. gentleman's statement all the consideration it deserves; but when we are told that a population of perhaps 1,500 has increased in less than a year to 8,000 or 10,000, that affords the best possible reason for having the delimitation determined by a tribunal which could investigate the accuracy of such statements. We do not want to delimit these constituencies according to what one or another may tell us some unnamed person has told him. We heard from the Minister of the Interior that some unnamed person had told him there were 5,000 persons, exclusive of Indians, in that portion of Athabaska to be included in the new province of Alberta. We have no evidence beyond

that statement. I am willing to give my hon. friend's statement every consideration, but I have yet to learn that he is absolutely infallible in these matters, which are matters of opinion and not of personal knowledge.

Mr. ADAMSON. I have been frequently through that district on business. The homestead entries will show there must have been a large influx of settlers. There are now four towns there.

Mr. R. L. BORDEN. Very good, let us take the homestead entries, and we find a very great discrepancy in the representation given to the 16 and the 9 constituencies. There are 31,000 homestead entries in the 16 constituencies in the south as compared with 17,424 in the 9 constituencies in the north, yet not very much regard seems to have been attached to that consideration in the making out of this schedule. Although we have a population nearly three times greater, according to the census of 1901, in the south we have 16 members allotted to one portion of the province and 9 to the other. Assuming that the population has increased in the same ratio as the homestead entries, we would not find any change such as would justify the distribution the government proposes to make.

Mr. LAMONT. Is not the proportion of 9 members to 17,000 homestead entries just about the same as 16 members to 31,000 homestead entries ?

Mr. R. L. BORDEN. Suppose it is, that would seem to indicate that the population in the south has increased as much as in the north.

Mr. LAMONT. Would not that also indicate that 9 members for the 17,000 is the same proportion as for the 31,000 ?

Mr. R. L. BORDEN. Not at all. The population of the 9 constituencies, as I have heard my hon. friend from Qu'Appelle (Mr. Lake) give it, was about 26,000 according to the census of 1901, out of a total of 90,000.

Mr. LAMONT. That would be for Saskatchewan, but these 9 take in a considerable portion of Assiniboia as well, which would not be considered as belonging to the Saskatchewan population.

Mr. LAKE. The population was exclusive of Indians, 20,769 in Saskatchewan, and 61,008 in Assiniboia.

Mr. R. L. BORDEN. The difference to which the hon. gentleman has just referred would not very much affect the result of the calculation. You have a population of 20,000 against a population of 61,000. You have homestead entries in the north to the number of 17,424 and in the south to the number of 31,611. The inevitable result is that if you base a distribution upon the population, according to the census of 1901, and according to the subsequent homestead entries, you could not possibly arrive at any such result as that which the government is attempting to embody in the proposed schedule. Let us take their number of post offices, on which great reliance was placed in the case of Alberta. There are 100 in Saskatchewan and 285 in Assiniboia. Then take the schools, upon which the Minister of the Interior placed perhaps the strongest reliance and so did the First Minister, when dealing with Alberta—according to a return brought down to the House from the government of the Territories, there are 200 schools in Saskatchewan and 575 in Assiniboia. Base it on any information you like, you cannot work out any such result as that which the government desires to enforce in making its distribution.

I have looked over, with some interest, the proposal which my hon. friend from Qu'Appelle (Mr. Lake) has submitted to the committee as a basis of what may be accomplished if you propose to distribute the seats in Saskatchewan upon an even basis of population. He has divided the province into 25 constituencies. I observe that the least number of voters which he gives to any constituency is 1,200, and the highest 1,825. The average in 16 constituencies in the southern part of the province is 1,550, and in the 9 constituencies in the northern part of the province, 1,425. There is not, it is true, absolute equality of population. It would be difficult, if not impossible to work that out. But when you consider 1,200 on the voters' list in the lowest division and 1,825 in the highest division, and compare that with what is proposed by the government with respect to Humboldt and Redberry on the one hand and Souris and South Qu'Appelle on the other hand, it seems to me absolutely obvious that it is possible without any difficulty, to make a fairer and more equitable distribution of seats in this province than is proposed by this Bill. I regret that the efforts made to bring about some compromise with regard to this vexed matter have not been successful. I am bound to say that I think that my hon. friend from Qu'Appelle is not in fault in that regard, because while he has strong opinions on this question, I have always found him moderate in his views and willing to accept any reasonable compromise. I do not think that the distribution proposed by the government in Saskatchewan is any better than that in Alberta. I say that for the information of the hon. member for West Assiniboia (Mr. Scott). I think that they are very much alike, except that, if possible, there is even a greater discrepancy between Humboldt and Souris in Saskatchewan than any that is to be found in the province of Alberta, if we accept the evidence of the Minister of the Interior as to the northern ridings of the province. It is perfectly obvious that no principle was selected in the first place upon which these

provinces should be divided into constituencies. There was a delimitation made of Alberta, and then principles were sought upon which to base that distribution. There was a delimitation of Saskatchewan and entirely different principles are invoked to support it. It seems obvious that in each case the redistribution was made first and the principles to justify it sought afterwards.

Mr. LAMONT. The hon. member for Qu'Appelle (Mr. Lake) has submitted to this House a mass of statistics which, perhaps, have satisfied his mind that he has a grievance against this redistribution. He has made a number of comparisons in order to show that the schedule submitted by the government works an injustice to the south as against the north. He does not complain that the government has made a gerrymander in the ordinary sense of the word—that is, that it has hived the Conservatives in the north in order to enable the surrounding districts to return Liberals. His whole complaint is against the representation given to the north as against that given to the south. And he has, as has already been stated, submitted a schedule of his own under which two seats which are given to the north according to the government schedule are taken away from the north and given to the south.

Now, let us see where we stand in this matter and what are the conditions fronting us as a committee in distributing the districts of the province of Saskatchewan. We find that the Northwest Territories are divided into two provinces, the dividing line being the 4th meridian. In the province of Saskatchewan, there were, according to the territorial redistribution, twenty seats out of thirty-five in the territorial legislature. And we also find that, according to this Bill, we are to give twenty-five seats to the new province of Saskatchewan. So, the task before us is to divide the province of Saskatchewan in such a way that it will have twenty-five seats distributed as fairly as possible. My hon. friend (Mr. Lake) has made his comparisons as between the north and the south, and he has taken as his dividing line the line between the old districts of Saskatchewan and Alberta. Now, I propose to make several comparisons between the north and the south, but I do not propose to follow the line heretofore followed and take the district of Saskatchewan as the north and the district of Assiniboia as the south. It seems to me that that is a most unfair way to divide the two districts into north and south. I am going on another basis. I find that in the Haultain redistribution of 1902 there were twenty seats in the new province of Saskatchewan. My hon. friend from Qu'Appelle (Mr. Lake) and the hon. member from Calgary (Mr. M. S. McCarthy) have stated to this committee that the Haultain redistribution of 1902 was absolutely fair and just. Well, I am prepared to take it as a basis. I will take the ten southern seats according to that redistribution and the ten northern seats, and then I will endeavour to ascertain into which of these districts—the ten northern seats or the ten southern seats— we ought to put a majority of the new seats which are to be given to the province of Saskatchewan. We have five new seats to be added to the twenty under the Haultain redistribution, and the question, to my mind, is where should these seats be put in order to make a fair distribution. Now, if the ten northern seats show a vastly greater increase in population than do the ten southern seats, it is reasonable that the majority of the five should go to the north. If the ten southern seats show the greater increase of population, the bulk of the five seats should go to the south. The ten southern seats are as follows : Souris, Cannington, Moosomin, Whitewood, Grenfell, Wolseley, South Qu'Appelle, South Regina, Moosejaw, and Maple Creek, I call these the ten southern seats for the following reason : They are the ten seats which touch the southern boundary line of the new province or are the nearest to it according to the Haultain distribution. They correspond practically to the three southern seats of the federal redistribution of two years ago. Maple Creek, Moosejaw and South Regina are in the district represented by my hon. friend from Western Assiniboia (Mr. Scott). The other districts correspond very closely to the district represented by the hon. member for Qu'Appelle (Mr. Lake) and the hon. member for East Assiniboia (Mr. Turriff). The ten northern seats correspond very closely to the northern seats as laid down by the federal redistribution. Whatever difference there may be is in favour of the south. I find the actual difference to be that there are 124 townships which should belong to the north that are included in the south in the eastern part of the territory, and 264 townships that should belong to the south are included in the north in the western part of the territory. So that there are 140 townships, according to that calculation in favour of the south. Now then the question is, do these ten southern districts show a larger increase of population since the Haultain redistribution than the ten northern seats. I have based my calculation upon the census population of 1901 and upon the homestead entries since, for notwithstanding what my hon. friend for Qu'Appelle (Mr. Lake) may say, it does seem to me that the homestead entries form one of the soundest bases on which to calculate population. Have there been more homestead entries since 1901 in the ten northern than in the 10 southern districts ? I find the following :

	Ten northern seats.	Ten southern seats.
(Not including Arthabaska.)		
	Sq. miles.	Sq. miles.
Area..	91,330	57,460
Census population in 1901..	50,818	38,369
Homestead entries since 1901	30,576	18,449

Of homestead entries since 1901 we have, roughly speaking, 30,000 in the north and 18,000 in the south. If that is a fair basis —and I submit it is a fair basis—then the fairest division of the five new seats we can make is to give to those ten northern seats, in which there is an increase of 30,000 homestead entries, three seats, and to the southern group, in which there is an increase of 18,000 homestead entries, two seats. This is still giving an advantage to the south. There cannot be any dispute as to these figures, because they are official, and there is a reason why the increased population should appear in the north. Those who are familiar with the country unhesitatingly say that the increase of population during the last three or four years has been largely in the north, and the reason, as was pointed out by the hon. member for West Assiniboia (Mr. Scott), is that in the north two lines of railway have practically been built —the main line of the Canadian Northern running right across the province, and the northern branch of the Canadian Northern from Erwood, which is now built up to within a few miles of Prince Albert. Then, too, the Grand Trunk Pacific line has been surveyed there, and every one knows that a great number of settlers have gone in along that survey and taken up homesteads. As a matter of fact, we know that the northern country has progressed much more rapidly than the south. We know that from the homestead entries, which demonstrate beyond question the fact that the settlement in the north is proceeding much more rapidly than in the south. Therefore, taking the homestead entries as a basis, 30,000 as against 18,000, it seems to me that no fairer distribution of the additional representation could be made than to give three to the north and two to the south. I have estimated the population upon these figures, and have taken the same basis as the hon. member for West Assiniboia (Mr. Scott); for each homestead entry I have allowed three persons, and I have added to that the census population of 1901. I find, according to that calculation, in the ten southern districts the present estimated population is 92,254, while in the ten northern districts the estimated population is 141,646. These figures not only justify the distribution of three new seats in the north as against two in the south, but taking into consideration its prospective increase of population, it certainly would justify four in the north and one in the south, as in the government's first schedule.

I shall compare a few of the figures that have been given for the northern and the southern seats. I might point out that my hon. friend for Qu'Appelle (Mr. Lake) proposes to allow four of the new seats to the south, while to the ten northern seats he is only allowing one new seat. Comparing the figures for the two groups of districts, I find that he has retained unaltered according to his map, a certain number of seats in the south. I shall take the districts of Moosomin, Whitewood, Grenfell and Wolseley. He has pointed out that these are old districts, and he has objected very strongly to any lessening of their representation. These four seats have a census population of 16,051. Since 1901 there have been 3,480 homestead entries made in these four constituencies. Allowing to each of these homestead entries three persons, those four constituencies have at the present moment a population of 26,491, or an average for each seat of 6,622. Compare these with the four districts in the north which my hon. friend says are so much over-represented. Take Saskatoon, Battleford, Kinistino and Batoche according to Mr. Haultain's redistribution. These four districts have a census population of 14,123, but since 1901 there have been 15,386 homestead entries made within their limits. Comparing these with the four seats in the south, which have a census population of 16,051 as against a population of 14,123 for these four districts in the north, and we find that the four southern seats have only added to their population, in so far as homestead entries would indicate, the population represented by 3,480 entries, while in these four northern divisions in the same time there have been added the population represented by 15,386 homestead entries. Following the same principle of allowing three persons to each homestead entry, we have a present population in this northern district of 61,281 as against 26,491 in the south, or, while in these four districts in the south 6,222 people can elect a member, it requires 15,320 people in the north, and yet my hon. friend says that the north is being over-represented.

Now, I need not follow out these figures. My hon. friend from Qu'Appelle has submitted a map, and in so far as he lays out the same divisions as are laid out in the government schedule I think we may take it for granted that the government schedule is perfectly correct. I find that the hon. gentleman has made some criticism in regard to Redberry, but according to his own schedule he makes a district of Redberry, which corresponds fairly with the government one; Battleford is practically the same; Rosthern is made a little smaller; Saskatoon is made smaller; Prince Albert city is cut out altogether and Humboldt is cut out altogether and added to Batoche. I want to call the attention of the committee to the facts in regard to Humboldt. The hon. gentleman says that Humboldt should not have separate repre-

sentation because it only cast 178 votes at the last election. Any one who knows anything about that district, knows that two years ago a German settlement went into Humboldt from the United States numbering 4,500 people, and, as has been pointed out by my hon. friend from Humboldt (Mr. Adamson), there is to-day in that district a population of from 8,000 to 10,000 people.

Mr. LAKE. How does the hon. gentleman get at that calculation? Is he just accepting the statement of the hon. member for Humboldt?

Mr. LAMONT. Just wait a moment and I will show you how I arrive at that. The census population of Humboldt in 1901 was 582. But since that time there have been made 2,274 homestead entries. Following the same principle of allowing three persons for each homestead entry that gives as far as homestead entries are concerned a population of 6,822, and including the population of 582 as set out in the census of 1901, a total population of 7,304 without counting any of the town population, and everybody who has gone over the main line of the Canada Northern Railway knows that there are very considerable towns growing up along that line. Therefore, I think that my hon. friend from Humboldt is well within the mark when he says that there is a population in the district of Humboldt of between 8,000 and 10,000 people. My hon. friend from Qu'Appelle thinks that population is not entitled to one representative and that Humboldt should be added to Batoche. Now, I have here the figures which my hon. friend has read showing the homestead entries for the different districts, and I find that in Batoche in 1901 there was a census population of 1,970 and in Humboldt a census population of 582. In addition, in Batoche, according to this list, there have been since 1901 2,594 homesteads entered and in Humboldt 2,274, making a total of 4,868. Following the same principle of allowing three persons to each homstead, we have a present population in the district to which my hon. friend would only allow one member of over 16,000 people.

Mr. LAKE. I had better say right here to my hon. friend from Saskatchewan that I think he certainly is not correctly describing the boundaries of any of the districts which he has referred to as my distribution.

Mr. LAMONT. In order that I shall not misrepresent my hon. friend I will put his map on the table so that it may be seen by any one who wishes to refer to it. I think, Mr. Chairman, I ought to call the attention of the committee to this map and to show the committee the beautiful redistribution of my hon. friend. Whether or not he felt that the member for the Cannington district would have some difficulty in getting to Regina I cannot say, but he has built a beautiful series of steps that look as if they were calculated to assist him very materially in getting there. It seems to me that the only difference between my hon. friend from Qu'Appelle and hon. members on this side of the House is that he refuses to consider that these citizens who are from the United States or from Europe and who had not been in the country for three years before last fall so as to be able to get their names on the voters' list should be entitled to representation. We think they should be entitled to representation. They are there on the ground and developing the resources of the country, and the fact that they are yet American citizens is not in my opinion a sufficient reason, although it may be a sufficient reason in the opinion of my hon. friend, for depriving them of a voice in the affairs of this country.

Mr. LAKE. I have no intention of depriving American citizens of fair representation. They are scattered through the whole length and breadth of the country from north to south.

Mr. LAMONT. My hon. friend cannot deny, as the homestead entries prove beyond a doubt, that the number of new settlers who have gone into the north far exceeds the number who have gone into the south.

Mr. LAKE. I do not think it does.

Mr. LAMONT. Well, I submit that the homestead entries demonstrate that the ten northern districts, according to Mr. Haultain's redistribution which my hon. friend says is fair, shows 30,000 entries as against 18,000 for the southern districts. To my mind that is conclusive. Even though a very large number of these 30,000 people had not been in the country for three years last fall, yet we know that they are improving their farms, they are improving the country, they have come here on our invitation and they require roads and bridges and schools to as great an extent and perhaps greater than the settlers in the older districts of whose interests my hon. friend has been so solicitous. In the older districts the settlers have better roads than in the newer districts. Their interests have been looked after in the past; their schools are established and their roads and bridges are practically built, and they will not require the same amount of attention on the part of the government that the newer settlers will. It seems to me that this ground of difference is the only one between us. The hon. gentleman has made a calculation of the voters on the lists, but there were thousands and thousands of settlers in that northern country who had not been there three years and were consequent ly not entitled to have their names on the lists. The hon. gentleman cuts out Humboldt and Prince Albert. As the member for West Assiniboia (Mr. Scott) has said, we have adopted the principle of giving to incorporated cities a member, and if we

give a member to Calgary, Regina and Moosejaw, I do not see on what principle Prince Albert can be cut out. There are a few facts to which I will call attention in reference to the Prince Albert seat. Until the redistribution of 1902, which my hon. friend (Mr. Lake) says was fair and just, Prince Albert had two seats, East and West Prince Albert, and the Haultain administration in 1902 cut out one of these seats, putting a large portion of it into Prince Albert West forming one seat, and putting the polling divisions down the Saskatchewan river into Kinistino. To my mind and to the mind of the Prince Albert people that was most unjust. It was stated in the district, it was stated in the legislature that it was an unjust gerrymander, and the votes cast at the next election proved that to be the case. The Haultain government took away one seat from Prince Albert and formed a new seat of Saskatoon. Prince Albert at the next election had a vote of 771 while Saskatoon had a vote of only 376. Between Prince Albert and Kinistino was divided the extra territory which up to that time had been in Prince Albert. Up to that time there had been three seats, but by the 1902 redistribution they only were given two. These two seats provided a vote of 1,453 at the next election whereas the three other seats in Saskatchewan in which elections were held gave only 1,065 votes, so that the Haultain administration divided 1,065 votes into three seats, whereas they only divided 1,453 votes into two seats, taking one seat away from Prince Albert. Yet my hon. friend (Mr. Lake) says that was a fair redistribution.

It was stated over and over again on the platform and elsewhere that the reason for cutting off one seat from Prince Albert was because Prince Albert East and Prince Albert West returned two strong opponents of the Haultain government, while Saskatoon was supposed to be friendly, and at the next election Saskatoon returned a government supporter, while in the two seats that had been fused into one in Prince Albert the government nominee lost his deposit. Now, Mr. Chairman, I do not intend to take up the time of the committee further. It seems to me that if we look at this question on fair and broad principles, if we take the 10 southern and the 10 northern seats as laid out by Mr. Haultain—and in which distribution my hon. friend (Mr. Lake) had a part—and if we take the homestead entries in each of these 10 seats since 1901 we are forced to the conclusion that a fair distribution of the extra five seats we have to add to Saskatchewan, would be 3 to the north and 2 to the south. In my opinion if we were to consider the prospective increase, it should be 4 in the north and 1 in the south, but certainly not less than 3 in the north and 2 in the south. I believe that before the next local election, if the term of the legislature runs four years, there will be a vastly greater population in the north than there is in the south.

Mr. LAKE. My hon. friend (Mr. Lamont) has taken up a great deal of time trying to prove what a terrible gerrymander was made by the Haultain government in 1902, but the opinion of the gentleman (Mr. Scott) who sits beside him was very different at the time the Haultain redistribution was made. The Regina 'Leader' of the 24th of April, 1902, says :

> The other matter is the Redistribution Bill, in regard to which not even the faintest odour of gerrymander could be detected. The prevailing idea in the distribution is the basis of population and area combined, and the principle acted upon is very similar to that in the Dominion Acts for a similar purpose ; these have the population of Quebec as a starting point, and Mr. Haultain takes the population of Saskatchewan.

Mr. HENDERSON. Whose paper said that ?

Mr. LAKE. The paper of the hon. member for West Assiniboia (Mr. Scott).

Mr. LAMONT. The hon. member for West Assiniboia was a very strong supporter of Mr. Haultain's then, I would presume from that article.

Mr. BARKER. But he would not say what was not true ?

Mr. LAMONT. Read what the Prince Albert 'Advocate' said about it and you will get the other side.

Mr. HENDERSON. The Regina 'Leader' is a better authority.

Mr. LAKE. I was in the legislature at that time, and I know that there was no criticism to amount to anything of that distribution. It was generally accepted as fair.

Mr. LAMONT. Did not Mr. Mackay state on the floor of the legislature that it was a very bad gerrymander ?

Mr. LAKE. Mr. Mackay was the only one who suggested the idea of gerrymander at all, and he did it, not in a very determined manner. He was a member of the opposition at the time and if the rest of the members of the opposition had any idea that there was a gerrymander, the Bill would not have gone through as it did in the course of a few minutes, accepted practically by the whole House without discussion. In the distribution, as the Regina 'Leader' said, Saskatchewan is taken as a basis and one member was given for every 4,279 of the population according to the census of the previous year. In Assiniboia one member was given for every 4,492 of the population, and in Alberta one member for every 4,700 of the population. It was as even a distribution as it was possible to make. If there had been only the same differences in the present Bill we should not have had much to say against it.

Mr. SCOTT. Will my hon. friend (Mr. Lake) permit me to point out that if he will calculate the result of that redistribution upon the basis of the most recent vote in the Territories at the previous federal election, as we are compelled to some extent to do in this case, he will find a very great disparity. Saskatchewan was given 6 seats, and the old Assiniboia 15 seats, while the vote polled the previous November showed 11,857 for Assiniboia as against 2,529 for Saskatchewan, being an average in Assiniboia of 790 votes for each member as against only 420 in Saskatchewan. This will tend to show to the committee what an insecure basis we are obliged under present circumstances to go upon.

Mr. LAKE. The hon. gentleman is referring to the votes polled ?

Mr. SCOTT. The votes polled in 1900.

Mr. LAKE. That is the basis the Minister of the Interior took for the distribution he has given in both of these Bills.

Mr. SCOTT. Not absolutely.

Mr. LAKE. I quoted the Minister of the Interior's own remarks, which I think were pretty absolute in regard to that matter. That was the first basis of distribution. He said : 'The basis of the division of the constituencies was necessarily the vote cast ; it was the latest and most accurate estimate we could get.' In another place he said : 'The definite division of the constituencies is based on the vote actually polled on the 3rd of November.' The hon. member for Saskatchewan made a very long argument in regard to north and south, as he would make the division. I do not propose to follow him into that question. He makes a very arbitrary division when he brings one of his northern constituencies apparently down to the main line of the Canadian Pacific Railway. I think that will be sufficient for any one acquainted with that country to estimate the value of the hon. gentleman's remarks in that respect. Then, in endeavouring to prove from the homestead entries what a very large population had gone into the north, he took an all-round estimate that three would be about the proportion of individuals who would go with each homestead entry. When he endeavoured to apply this principle to the absolute statement of the hon. member for Humboldt (Mr. Adamson) as to the population in that constituency, he found that it fell short of the estimate made by the hon. member for Humboldt. In order to make up for this deficiency, he immediately said this was outside of the numbers who had gone into the towns which were springing up all along the line. Once he departs from that general basis of three to every homestead entry, his whole argument falls to the ground ; because I contend that he cannot compare an entirely new country, which is being opened up for the first time, and in which every man who goes into it for business purposes or any other purposes, immediately makes a homestead entry with the older settled portions of the country, such as the Indian Head district, which has been referred to, in which every bit of vacant land has for years been taken up, and into which great numbers of new population have been coming. There people who go in to farm, being unable to find homesteads, buy lands. Then, an immense number of labourers go in to work, and business men to carry on business in the towns ; and these have no opportunity of finding homesteads. So that it is absurd to take for granted generally that for every homestead entry in a particular district, three people have come into that district. Certainly three people would be no fair estimate in the older districts ; probably four would be nearer the mark ; whereas in the newer districts probably every other person who comes in makes a homestead entry. As I said when the hon. member for Saskatchewan was speaking, his verbal description of the distribution which I submitted to the committee was an absolutely incorrect one. I do not think I need go any further. Any one who chooses to look at that map and compare it with his statements as they appear in 'Hansard' will find that he has not correctly described the constituencies which he undertook to criticise ; so that I do not think I need follow his remarks in that respect.

Mr. LAMONT. Will my hon. friend state what the inaccuracy in my description was ?

Mr. LAKE. He said I left the district of Redberry as it was.

Mr. LAMONT. I did not say that. I said that the hon. gentleman had made the district of Redberry, and had added to it Battleford.

Mr. LAKE. The hon. gentleman also said that I added Humboldt to Batoche. I did not add the whole of Humboldt to Batoche. The hon. gentleman, perhaps unintentionally, did not give a fair description of those constituencies. My hon. friend from Western Assiniboia proposed to cut up four constituencies in Eastern Assiniboia—Moosomin, Whitewood, Grenfell and Wolseley—and make three of them, and he compared that proposal with the alternative suggestion I made on the spur of the moment, to the disadvantage of that suggestion. The hon. gentleman's proposal would work out on the basis of numbers on the voters' lists as follows : Moosomin, 2,282 ; Broadview, 2,280 ; Wolseley, 1,850. These are figures which I took from the figures at my disposal. The average of these four constituencies, as I have stated before, is already above the average throughout the whole province of Saskatchewan. I suggest that we should take the three constituencies around Regina, which are considerably below that average,

and add to the portions of south Qu'Appelle, Souris and Cannington, and thus remove a certain amount of congestion in those three districts.

Mr. SCOTT. The vote polled in Lumsden was just about up to the average, and since the census of 1901 almost as many homestead entries have been made in Lumsden as in the four districts. Yet my hon. friend proposes to add to that district of Lumsden, which is already big enough, both in area and population, a portion of the thickly settled territory in the neighbourhood of Regina—twenty-one townships as thickly settled as any in the Territories, with an area almost as large as Wolseley.

Mr. LAKE. The figures which my alternative suggestion shows would give to Lumsden 2,230 votes. That is less than two of the constituencies which he proposes to create in the eastern part along the main line. It would still leave the city of Regina, with a very small vote under 1,000, and it would make South Regina up to about 2,270. Curiously enough they work out in exactly the same figures, according to the calculation which I made.

Mr. SCOTT. According to my figures I find that Lumsden had 3,096 of a population according to the census of 1901, and cast a vote last fall of 1,122 and there have been homestead entries, since the census of 1901, in that district to the number of 3,254. Does my hon. friend contend that these new homestead entries do not mean population? Lumsden shows 3,200 entries as against only 3,400 in the whole four districts of Moosomin, Whitewood, Grenfell and Wolseley, and Lumsden is in the same class as the other districts practically, except in the northern portion. The southern portion, particularly in the neighbourhood of Regina, is entirely the class of old-settled district to which he refers and to which belong Moosomin, Grenfell, Whitewood and Wolseley. The old settlers are to be found there. According to my suggested division, by putting these four districts into three, we will have a record of the vote polled last fall in the new districts of as follows: Moosomin, 1,573; Broadview, 1,383; Wolseley, 1,366. Compare those with the two districts on the north: Saltcoats, 1,473; Yorkton, 1,081. On the other hand, take the districts to the south, Souris will have 2,114, very much larger still than in the other three which I make out of his four; Cannington, 1,508.

Mr. LAKE. How many will the three Reginas then have?

Mr. SCOTT. I will give the figures for each of these according to the map I have suggested. I take the votes polled: Souris, 2,114; Cannington, 1,508; Moosomin, 1,593; Broadview, 1,383; Wolseley, 1,366; Saltcoats, 1,473; Yorkton, 1,081; Weyburn—this is the new district on the Soo line which I propose to create—1,282; South Qu'Appelle, 1,383; North Qu'Appelle, 927. I do not propose any change in the North Qu'Appelle district. South Regina, 1,153; Regina city, 740; Lumsden, 1,122; Moosejaw district, 1,168; Moosejaw city, 786; Maple Creek, 783. If my hon. friend will look at that a moment, he must agree with me that it is a fairer redistribution than the government plan, observing what was done three years ago by the legislature, and very much fairer than his alternative suggestion, by which he proposes to add to a district, already fairly large in votes cast, large in area, and exceedingly large in the population which we must conclude has come into it, judging by the number of homestead entries made since the census was taken.

Mr. LAKE. If hon. members on that side would take one basis of calculation, we should begin to know where we are, but it is absolutely impossible to follow all their different positions. When it suits their arguments in one district, they use the basis of population according to the census of 1901 and add to their calculation the homestead entries. When it suits them in another district to use another basis, they take the votes polled. Let them take one basis and hold to it all through. I could not find a moment ago the average of the votes on the lists in the three Reginas, but I have it now. I am not taking the votes polled in my calculation. The average on the voters' lists was 1,344 in those three Regina seats. The average voters on the lists for Moosomin, Whitewood, Grenfell and Wolseley, was 1,554, so that the hon. gentleman is taking four constituencies which already, on an average, have a larger number of names on the voters' lists than the average for the whole of the province. He has just told us exactly how many votes were polled in each of these new constituencies, which he has been redistributing. How does he get at that? For instance, here I find the polling division of Yellow Grass for the federal election had a voters' list of 300 names. Right through the centre of that polling division, which is a very large one, containing some eight townships, goes the dividing line between the two constituencies. How many does he reckon cast their votes on the west side of the dividing line and how many on the east side?

Mr. SCOTT. It seems to me that when we have to come down to a dispute about individual cases in a matter dealing with so large an area, we pretty nearly bring the whole thing down to the level of farce. Nobody imagines that these figures are accurate, but they are approximately so. If there are divergencies on the one side, there will be corresponding divergencies on the other.

Mr. LAKE. No one pretends they are absolutely accurate, but I object to having the number of votes polled taken as the basis, because it is impossible even to get near the number of persons qualified to vote even in that way.

Mr. SCOTT. If my hon. friend will compare the number of votes polled with the number given on the lists, which he contends are absolutely accurate, he will find that the number of votes polled are given with approximate accuracy, which is my contention.

Mr. LAKE. The number of votes polled as compared with the number on the lists vary considerably in the different constituencies. In one of the northern constituencies only 49 per cent of the voters on the lists voted, whereas in one of the southern constituencies, that of the hon. gentleman's himself, there were 76 per cent votes polled of the voters registered. If the government would only take one basis and stick to it, that would give some chance to members on this side to offer alternative suggestions, which could not fail to be an improvement on their schedules. I do not propose to follow this matter very much further. I do not think that the argument made by the hon. members for Western Assiniboia and Saskatchewan have added anything to the information of members of this committee. I think they have not proved the case they started out to prove in any particular. They depend on vague calculations as to prospective populations and so on. In reference to the accusation made against me that I wish to deprive the newcomers of their right to representation, that is absolutely incorrect. Incoming American citizens were especially mentioned in this connection by the hon. member for Saskatchewan (Mr. Lamont). These American citizens have not settled in one corner of the country, but have spread everywhere. They have come in very largely into my own neighbourhood. Within a very few miles of me there are a considerable number of American citizens who were not entitled to vote at the last election. A great many of these American citizens, men of means, have determined to settle in the districts which have proved their capacity for growing grain. They have not struck into the remote districts where it is not finally established that wheat can be profitably grown. A very large proportion of the best class of these new-comers have settled in the older districts, where they know they can make a success of farming. I propose that all should be treated alike, both those who go into the north and those who go into the south—all should be given their fair share of representation.

Mr. SCOTT. I daresay we are to take it for granted that the division between the north and the south is going to be maintained by the committee—nine to the north and sixteen to the south. But I am going to appeal to the hon. member for Qu'Appelle (Mr. Lake) that we should join hands on the suggestion I have offered, which, to a great extent, would remove the disparities and discrepancies in Assiniboia which exist in the plan presented by the government, that being the redistribution made by the assembly three years ago. My hon. friend, like myself, knows very well that the people on the Soo line contend, with a great deal of justice, that a different distribution ought to be made of Assiniboia to serve their purposes. They feel themselves at the extremes in South Regina and South Qu'Appelle. They feel that the weight is against them, and they have sent down a great many strong representations asking that different lines be run to create a district, the centre of which would be one of the towns on the Pasqua branch or the Soo line. I have made a proposition that I think is fair. These four districts on the main Canadian Pacific Railway line at the east of the province are comparatively small in area and in vote, and are exceedingly small in increase of population, if we take the homestead entries as being any proper guide in that respect. I feel somewhat strongly in regard to this, and I am satisfied that the committee would be willing to agree to my suggestion if the hon. member for Qu'Appelle (Mr. Lake) would accept it.

Mr. LAKE. I am quite prepared to agree with the hon. member for Western Assiniboia (Mr. Scott) in so far as he asserts that there should be a constituency given along the Soo line, taking in a portion of the districts of South Regina, South Qu'Appelle, Souris, and possibly Cannington. But I cannot agree with him as to where he is to take off one constituency in order to place a new constituency in that district. He proposes, as I have said, to go into the old districts of Moosomin, Whitewood, Grenfell and Wolseley and cut off one member from there. I have shown that already they have a very large vote in those four districts.

Mr. SCOTT. They are under the average of the sixteen Assiniboia districts.

Mr. LAKE. But they are over the average for the whole province of Saskatchewan. The only difference between my hon. friend (Mr. Scott) and myself is that I suggest that he should get this extra seat from the three constituencies which now group around Regina—Lumsden, Regina and South Regina—and that he should redistribute these seats. The average for these seats is 1,344 as against an average in the constituencies he proposes to cut up of 1,554. I contend that it would be very much easier and a much more suitable and fairer distribution to do as I suggested—to make the new Soo district out of a portion of the present district of South Regina, adding to it a por-

tion of South Qu'Appelle, a portion of Souris and possibly a small portion of Cannington, and extending the North Regina or Lumsden district south to the 15th township line. As I have said, it would work out that the two constituencies of Lumsden and the Soo line would have something over 2,200 names on the voters' list; and Regina city, which would have a member, who, no doubt, would be approached by farmers in either of these constituencies if they wished to see him, would have a very small proportion of votes. Of course, I am agreeing to this suggestion on the assumption that the government are determined to force through this distribution as between the old district of Saskatchewan and the old district of Assiniboia.

On schedule 'B,' Grenfell.

Mr. SCOTT. I made a suggestion the other day in the conference to my hon. friend from Qu'Appelle (Mr. Lake) that the boundary of Grenfell should be slightly changed by taking away from the district of Yorkton five townships, in the southwest corner of the district of Yorkton. Owing to the building of the Kirkella extension of the railway these people will be nearer to that railway than to the Manitoba and Northwestern Railway, and their interests will be much better served by adding these five townships to Grenfell. The member for Qu'Appelle said that he would have no objection to this being done.

Mr. LAKE. I do not remember this question. As in the case of the Alberta constituencies an agreement was arrived at in the conference as to some changes of this nature, and the understanding was that some authority would make the changes and have them properly arranged the next morning.

Sir WILFRID LAURIER. If my hon. friend agrees, all right.

Mr. LAKE. It is a matter that I have not looked into and without having the figures of the votes and settlement there I am not prepared to make any particular suggestion in regard to that.

On schedule 'B,' Lumsden.

Mr. SCOTT. I have another suggestion to make with regard to Lumsden. There should be a slight change made here which affects Lumsden, Moosejaw and Batoche, on account of a lake, Last Mountain lake, through which the boundary runs, leaving on the east side of the lake, cut off from Lumsden, about a dozen or perhaps twenty or even forty people living in there separated by the lake from the district in which they are placed by the present boundary and cut off from the neighbours with whom they would naturally vote.

Mr. LAKE. I think there would be no objection to that.

On schedule 'B,' Moosejaw.

Mr. R. L. BORDEN. I have a memo. referring to a new district of Moosejaw city. Are you making such a division or are you simply making a change in the boundaries of Moosejaw?

Sir WILFRID LAURIER. I do not think there is a change in the boundaries of Moosejaw; it is simply taking out the city of Moosejaw from the constituency of Moosejaw. I suggest that we suspend the consideration of the schedule until the draft suggested by my hon. friend from Western Assiniboia (Mr. Scott) be completed. We will pass to section 13.

Section 12 allowed to stand.

On section 15, law courts and officers continued.

Mr. FITZPATRICK moved that the following be substituted for section 15:

15. Except as otherwise provided by this Act, all laws and all orders and regulations made thereunder, and all courts of civil and criminal jurisdiction, and all commissions, powers, authorities and functions and all officers and functionaries, judicial, administrative and ministerial, existing immediately before the coming into force of this Act in the territory hereby established as the province of Saskatchewan, shall continue in the said province as if this Act and the Alberta Act had not been passed; subject, nevertheless, except with respect to such as are enacted by or existing under Acts of the parliament of Great Britain or of the parliament of the United Kingdom of Great Britain and Ireland, to be repealed, abolished or altered by the parliament of Canada, or by the legislature of the said province, according to the authority of the parliament or of the said legislature under this Act: provided that all powers, authorities and functions which under any law, order or regulation were, before the coming into force of this Act, vested in or exercisable by any public officer or functionary of the Northwest Territories shall be vested in and exercisable in and for the said province by like public officers and functionaries of the said province when appointed by competent authority.

2. The legislature of the province may, for all purposes affecting or extending to the said province, abolish the Supreme Court of the Northwest Territories, and the offices, both judicial and ministerial, thereof, and the jurisdiction, powers and authority belonging or incident to the said court.

3. All societies or associations incorporated by or under the authority of the legislature of the Northwest Territories existing at the time of the coming into force of this Act which include within their objects the regulation of the practice of, or the right to practice, any profession or trade in the Northwest Territories, such as the legal or the medical profession, dentistry, pharmaceutical chemistry and the like, shall continue, subject, however, to be dissolved and abolished by order of the Governor in Council, and each of such societies shall have power to arrange for and effect the payment of its debts and liabilities, and the division, disposition or transfer of its property.

4. Every joint-stock company lawfully incorporated by or under the authority of any ordinance of the Northwest Territories shall be subject to the legislative authority of the province of Saskatchewan if—

(a) the head office or the registered office of such company is at the time of the coming into force of this Act situate in the province of Saskatchewan ; and

(b) the powers and objects of such company are such as might be conferred by the legislature of the said province and not expressly authorized to be executed in any part of the Northwest Territories beyond the limits of the said province.

Mr. R. L. BORDEN : I understand that this is exactly in the form in which we had it in the Alberta Bill ?

Mr. FITZPATRICK. Yes.

Section as amended, agreed to.

On section 16:—legislation respecting education—separate schools.

Mr. FITZPATRICK moved that the following be substituted for section 16 :

Section 93 of the British North America Act, 1867, shall apply to the said province, with the substitution for paragraph (1) of the said section 93, of the following paragraph :

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901.

2. In the appropriation by the legislature or distribution by the government of the province of any moneys for the support of schools organized and carried on in accordance with the said chapter 29, or any Act passed in amendment thereof or in substitution therefor, there shall be no discrimination against schools of any class described in the said chapter 29.

3. Where the expression 'by law' is employed in paragraph 3 of the said section 93, it shall be held to mean the law as set out in the said chapters 29 and 30 ; and where the expression 'at the union,' is employed in the said paragraph 3, it shall be held to mean the date at which this Act comes into force.

Mr. BOURASSA moved in amendment that :

The provisions of section 93 of the British North America Act, 1867, shall apply to the said province as if, at the date upon which this Act comes into force, the territory comprised therein were already a province, the expression 'the union' in the said section being taken to mean the said date.

2. In the appropriation by the legislature of public moneys in aid of education, or in the distribution by the government of the province of any moneys arising from the school fund established by the Dominion Lands Act, there shall be no discrimination against the schools of any kind organized according to law.

Amendment (Mr. Bourassa) negatived.

Mr. R. L. BORDEN moved in amendment that :

That section 16 be struck out, and the following substituted therefor :

Mr. FITZPATRICK.

16. The provisions of section 93 of the British North America Act, 1867, shall apply to the said province in so far as the same are applicable under the terms thereof.

Amendment (Mr. R. L. Borden) negatived on division.

Motion (Mr. Fitzpatrick) agreed to.

Section as amended, agreed to.

On section 18 :—interest to be paid to province on a certain sum.

Mr. FITZPATRICK moved that the following be substituted for section 18 :

Inasmuch as the said province is not in debt, it shall be entitled to be paid and to receive from the government of Canada, by half-yearly payments in advance, an annual sum of four hundred and five thousand three hundred and seventy-five dollars, being the equivalent of interest at the rate of five per cent per annum on the sum of eight million one hundred and seven thousand five hundred dollars.

Motion agreed to.

On section 19 :—compensation to province for public lands.

Mr. FITZPATRICK moved that the following be substituted for section 19 :

19. Inasmuch as the said province will not have the public lands as a source of revenue, there shall be paid by Canada to the province by half-yearly payments in advance, an annual sum based upon the population of the province as from time to time ascertained by the quinquennial census thereof, as follows :

The population of the said province being assumed to be at present two hundred and fifty thousand, the sum payable until such population reaches four hundred thousand, shall be three hundred and seventy-five thousand dollars ;

Thereafter, until such population reaches eight hundred thousand, the sum payable shall be five hundred and sixty-two thousand five hundred dollars ;

Thereafter, until such population reaches one million two hundred thousand, the sum payable shall be seven hundred and fifty thousand dollars ;

And thereafter the sum payable shall be one million one hundred and twenty-five thousand dollars.

2. As an additional allowance in lieu of public lands, there shall be paid by Canada to the province annually by half-yearly payments in advance, for five years from the time this Act comes into force, to provide for the construction of necessary public buildings, the sum of ninety-three thousand seven hundred and fifty dollars.

Motion agreed to.

On section 20, lands vested in the Crown.

Mr. FITZPATRICK moved that the following be substituted for section 20 :

20. All Crown lands, mines and minerals and royalties incident thereto shall continue to be vested in the Crown and administered by the government of Canada for the purposes of Canada, subject to the provisions of any Act of the parliament of Canada with respect to road allowances and roads or trails as in force on the

thirtieth day of June, one thousand nine hundred and five, which shall apply to the said province with the substitution therein of the said province for the Northwest Territories.

Mr. LAKE moved in amendment:

That section 20 be struck out, and the following substituted therefor:

All lands, mines and minerals and royalties incident thereto situate or arising within the limits of the province and now vested in the Crown, and all sums due or payable in respect of the same shall belong to the province subject to any trusts existing in respect thereof and to any interest other than that of the province in the same except those portions thereof now used or occupied for the public works, the public buildings or otherwise for the public service of Canada which are more fully set forth and enumerated in schedule 'C' to this Act, and which shall continue to be the property of Canada.

Amendment (Mr. Lake) negatived, on division.

Section, as amended, agreed to.

On the preamble,

Mr. BARKER. I have an amendment to move similar to that which I moved in regard to the other Bill. I have added two clauses referring to Rupert's Land but otherwise the amendment is the same. I beg to move:

That the preamble be struck out, and that the following preamble be substituted therefor:

Whereas, in and by the British North America Act, 1867, being chapter 3 of the Acts of the parliament of the United Kingdom passed in the session thereof held in the thirtieth year of the reign of Her late Majesty Queen Victoria, it was, among other things, enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's most honourable Privy Council, on an address from the Houses of parliament of Canada, to admit Rupert's Land and the Northwestern Territory into the union on such terms and conditions in each case as are in the addresses expressed and as the Queen should think fit to approve, subject to the provisions of the said Act; and that the provisions of any Order in Council in that behalf should have effect as if they had been enacted by the parliament of the United Kingdom of Great Britain and Ireland.

And whereas in and by the Rupert's Land Act, 1868, of the parliament of the United Kingdom it was, among other things, enacted that it should be competent to Her Majesty, by Order or Orders in Council, by and with the advice of Her Majesty's most honourable Privy Council, on address from the Houses of the parliament of Canada, to declare that Rupert's Land should from a date to be therein mentioned be admitted into and become part of the Dominion of Canada.

And whereas, pursuant to such powers and authority, and to such addresses, by and with the advice aforesaid, the Queen by Order in Council on the 23rd day of June, 1870, did order and declare that from and after the 15th day of July, 1870, the said territory should be admitted into and become part of the Dominion of Canada upon the terms and conditions set forth in schedule 'A' to the said Order in Council, and that the parliament of Canada should from the said date of admission have full power and authority to legislate for the future welfare and good government of the said territory; and it was thereby further ordered that, without prejudice to any obligations arising from an approved report therein recited, Rupert's Land should from and after the said 15th of July, 1870, be admitted into and become part of the Dominion of Canada upon the terms and conditions in that behalf in the said Order in Council also set forth.

And whereas, in and by the British North America Act, 1871, being chapter 28 of the Acts of the parliament of the United Kingdom passed in the session thereof held in the thirty-fourth and thirty-fifth years of the reign of Her late Majesty Queen Victoria, it is enacted that the parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provisions for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province and for its representation in the said parliament of Canada;

And whereas, in and by the British North America Act, 1886, being chapter 35 of the Acts of the parliament of the United Kingdom passed in the session thereof held in the forty-ninth and fiftieth years of the reign of Her said Majesty, the parliament of Canada was empowered to make provision for the representation in the Senate and House of Commons of Canada, of any territories which for the time being form part of the Dominion of Canada but are not included in any province thereof; and it was thereby also enacted that the said Act, and the British North America Act, 1867, and the British North America Act, 1871, shall be construed together.

And whereas that part of the said land and territory hereinafter described has not been included in any province of the Dominion and has heretofore been provisionally governed by and pursuant to legislation of the parliament of Canada.

And whereas it is expedient to establish as a province that part of the said land and territory hereinafter described, and to make provision for the constitution and administration of such province and for the passing of laws for the peace, order and good government thereof and for its representation in the parliament of Canada.

Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Amendment (Mr. Barker) negatived on division.

Preamble agreed to.

Bill reported as amended, and amendments read the first and second time and agreed to.

Mr. SPROULE. I would suggest that it would be well to have both of these Bills reprinted. They are amended so much from what they originally were, and I think it is important to understand what the amendments are.

Sir WILFRID LAURIER. My intention was to take up these Bills to-morrow for the third reading. The amendments are very

few and the only important ones are well known. In the meantime if I can have them printed by to-morrow I shall endeavour to do so.

Mr. FITZPATRICK. My hon. friend will find almost all of the amendments in the reprint of the first Bill.

THE BUDGET SPEECH.

Mr. FIELDING. If the Bills respecting the provinces of Alberta and Saskatchewan are disposed of to-morrow, I hope to present the budget statement on Thursday.

THE NORTHWEST TERRITORIES.

Mr. FITZPATRICK moved the second reading of Bill (No. 160) with respect to the Northwest Territories.

Mr. SPROULE. This is a Bill dealing with the powers of the Territories, and I think it would be well to have the explanation before we go into committee on it.

Mr. FITZPATRICK. This Bill is intended to provide for the government of that part of the Northwest Territories which is not included in the two provinces, that is to say, all that part of Rupert's Land and the Northwestern Territory which is not included in Manitoba, Saskatchewan, Alberta, the district of Keewatin and the Yukon Territory, and it provides for it by continuing all the provisions of the Northwest Territories Act which are already in existence and which are already applicable to these Territories.

Mr. SPROULE. I understood that you repealed that clause of the Northwest Territories Act.

Mr. FITZPATRICK. The Northwest Terriories Act is still in force with respect to the two new provinces, subject to be dealt with by them as they deem best, except so far as there are constitutional restrictions placed upon the powers of the new provinces.

Mr. SPROULE. What law would apply, to the Territories now ?

Mr. FITZPATRICK. The law that has been in existence since 1875 without any change.

Mr. LENNOX. Whatever state of law applied to the Territories in 1875, now made into provinces, the same state of law would apply to the Territories we are now dealing with.

Mr. FITZPATRICK. Will be continued on.

Mr. LENNOX. The same law as governed the two new provinces down to 1875 will now govern the Territories. Therefore by passing this Act we will be giving our sanction to the continuance to that state of law. We are affirming the state of law said to exist in these Territories at present.

Mr. FITZPATRICK. I would not like to put it that way.

Sir WILFRID LAURIER.

Mr. LENNOX. We are re-enacting in a certain sense and giving our legislative sanction to whatever state of law exists in the Territories at present. The result would be that in giving our sanction to the existing state of the school laws there, whether those laws be good or bad, we may be confronted in the future with the same unfortunate condition as we had to face this session. When we come to establish this remaining portion of the Territories into a province, we may be met with the same argument on the school question as we were met with this session and be told that we are bound by what happened years before.

Mr. R. L. BORDEN. I think my hon. friend the Minister of Justice inadvertently misstated a little the condition of affairs. The Bill, as originally drafted, contemplated the repeal of the Northwest Territories Act. That was abandoned afterwards. The position now is that that Act is left exactly as it is but these provinces are withdrawn from its operation to a certain extent. Any provision of the Act particularly applicable to a new province remains in force until repealed by a provincial legislature, so far as it has jurisdiction, or by the Dominion parliament, in so far as its jurisdiction extends. The Northwest Territories Act, as a statute, remains, and what is intended by the Bill is to make certain supplementary provisions which the government believe to be necessary, in view of the fact that a very large portion of the Territories is about to be established into provinces. The Northwest Territories Act is really not repealed.

Mr. SPROULE. In what position will the schools be in the future ? Will there be any authority to amend this law in any direction after we dispose of it here ? This Territory is outside the two new provinces. There is no council outside the two new provinces. What authority would there be which could amend the Northwest Territories Act in any direction ?

Mr. FITZPATRIC.K The parliament of Canada has the absolute control of the Northwest Territories Act.

Mr. R. L. BORDEN. The Northwest Territories Act will stand subject to be amended or repealed by this parliament at any time. It will be open to us at any time to deal with it in any way we see fit.

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

On section 3, delimitation of the Territories.

The Northwest Territories shall hereafter comprise the territories formerly known as Rupert's Land and the Northwestern Territory, except such portions thereof as form the provinces of Manitoba, Saskatchewan and Alberta, the district of Keewatin and the Yukon Territory, together with all British territories and

possessions in North America and all islands adjacent to any such territories or possessions except the colony of Newfoundland and its dependencies.

Mr. R. L. BORDEN. These are all embraced in the Dominion ?

Mr. FITZPATRICK. We are taking in a part of territory about which there may be some doubt—the part, lying between the height of land in Ungava and the Labrador coast. It would appear at first sight as if Rupert's Land included all the territory watered by the rivers that run from the height of land into the Hudson bay, but between the height of land in Ungava and the Labrador coast there is a small strip of territory which is apparently no man's land at present.

Mr. R. L. BORDEN. Is there any danger of this expression taking in all the British West India Islands ?

Mr. FIELDING. If they are in North America.

Mr. R. L. BORDEN. The section says 'adjacent to.' I think there is a piece of British territory on the mainland in Central America.

Mr. FIELDING. The hon. gentleman refers to British Guiana ?

Mr. R. L. BORDEN. No; near Honduras, on the mainland of Central America. I confess I do not know the names of all the British West Indies.

Mr. FITZPATRICK. As far as a declaration of this parliament can affect it, we might bring it in ; but I think a declaration of this sort would be exceedingly useful to us, because there are islands in the north that belong to Canada, and already two foreign states have entered into possession of a portion of our territory. In order to make my position clear, I may say that this is taken from the Order in Council which was passed July 1st, 1880—it is an adaptation of that description.

Mr. BERGERON. Is that covered by the Northwest Territories Act, or is it something new ?

Mr. FITZPATRICK. It is covered by the Northwest Territories Act, except a little piece between Ungava and the Labrador coast.

Mr. BERGERON. Would it not be better to avoid a description by saying that the Northwest Territories Act is withdrawn so far as the provinces of Saskatchewan and Alberta are concerned ? If that is done, it will remain just as it is for the rest.

Mr. FITZPATRICK. This is intended to adapt a description of this country contained in an Order in Council passed by the Imperial authorities. If we take the suggestion of the leader of the opposition (Mr. R. L. Borden), I do not think there need be any discussion about it.

Mr. BERGERON. There would be no discussion on my part—the hon. gentleman (Mr. Fitzpatrick) may be sure of that. But he has heard some discussion, and that kind of thing would be avoided if he would simply withdraw the Northwest Territories Act so far as it relates to Saskatchewan and Alberta, leaving it to apply to the rest.

Mr. FITZPATRICK. I am satisfied with it as it is.

On section 4—commissioner.

Mr. R. L. BORDEN. I suppose this is a reversion to what was the original form of government of the Northwest Territories ? Does the hon. minister follow the exact language ?

Mr. FITZPATRICK. It might be possible to have a commissioner appointed who is not in the Territories. It might be possible to have a commissioner with his headquarters here. There would be no reason why the Minister of the Interior should not be commissioner of all these Territories, in view of the fact that they extend over such an immense area.

On section 5—council.

Mr. R. L. BORDEN. Is it intended in the immediate future to act upon that, or is it a power that——

Mr. FITZPATRICK. It is a power that is taken.

Mr. R. L. BORDEN. No immediate necessity to exercise it ?

Mr. FITZPATRICK. No immediate necessity.

On section 7—disallowance of ordinances.

Mr. SPROULE. Is this the same law that relates to the Council of the Yukon Territory ?

Mr. FITZPATRICK. Yes.

Mr. SPROULE. Exactly ?

Mr. FITZPATRICK. I would not say that it is exactly the same language, but it is the same thing. It is the law applicable to all these territories originally before they had power of legislation. It refers to the power which the Governor in Council exercises with regard to disallowance. A statute of a province goes into effect unless disallowed within a certain time. But in the Yukon and other territories ordinances come into effect after they have been submitted to the Governor in Council.

Mr. SPROULE. I was referring to the previous section—No. 6, ordinances by the Commissioner in Council. There appears to be a difference between the Yukon and the Northwest Territories in this respect.

We have the Northwest Territories Act, which provided that no matter what authority was governing the country they shall provide a certain system of education. In the Yukon there seems to be no such provision whatever, but the Yukon Council goes on and provides a system of education similar to what they have in the Territories. I asked on one occasion before, by what authority this was done. I would ask again is it under such a clause as this clause 6 that this has been done in the Yukon Territory ?

Mr. FITZPATRICK. Under section 6 they would have authority to legislate only on those matters, jurisdiction over which is assigned to them by the Governor in Council.

Mr. SPROULE. I do not find any evidence that jurisdiction has been given by the Governor in Council with reference to the Yukon.

Mr. FITZPATRICK. My hon. friend knows more about the Yukon than I do.

Mr. SPROULE. I tried to look it up, but could not find it.

Mr. FITZPATRICK. I could get at it if the hon. gentleman (Mr. Sproule) wants it.

Mr. SPROULE. I would like to be informed as to the matter during the discussion of these Bills, because it seemed to me that there was no authority for these ordinances to establish an educational system passed in the Yukon.

Mr. FITZPATRICK. If my hon. friend (Mr. Sproule) will refer to section 6 of the Yukon Territory Act, he will find that this is practically a re-enactment of it.

Mr. SPROULE. That is why I asked the question. This section 6 of the Yukon Territory Act says :

> The Commissioner in Council shall have the same powers to make ordinances for the government of the territory as are at the date of this Act possessed by the Lieutenant Governor of the Northwest Territories, acting by and with the advice and consent of the legislative assembly thereof, to make ordinances for the government of the Northwest Territories, except as such powers may be limited by order of the Governor in Council.

So far as I can find, no instructions have been issued to them, either to establish this educational system or not to establish it, yet they have established it.

Mr. FITZPATRICK. I will have that looked into.

On section 8—Supreme Court disestablished—stipendiary magistrates.

Mr. FITZPATRICK. That is the law as we had it.

Mr. R. L. BORDEN. This is a reversion of the old system ?

Mr. SPROULE.

Mr. FITZPATRICK. Yes.

Mr. LENNOX. This provides for the disestablishment of the Supreme Court in this territory. There has also been, up to this time a territorial assembly of the Northwest, which met at Regina and whose authority extended over these Territories.

Mr. FITZPATRICK. Not to all—only to Mackenzie.

Mr. LENNOX. If it is necessary to disestablish the Supreme Court it is equally necessary to say that the legislative assembly shall no longer continue.

Mr. FITZPATRICK. The Act of 1888, section 2, provides that the jurisdiction of the legislative assembly shall be restricted to the electoral districts and the electoral districts are not to continue.

Mr. LENNOX. Are all the electoral districts comprised within the two provinces ?

Mr. FITZPATRICK. And more, Athabaska.

On section 14,

Mr. SPROULE. The wording of that section would seem to imply that the provinces were insolvent.

Mr. FITZPATRICK. There are some assets that have to be distributed, and I thought instead of having an involved scheme such as that employed with respect to the old provinces of Canada, as these Territories are not quite so pretentious in their belongings we would appoint a liquidator to distribute the assets between them.

Mr. R. L. BORDEN. It seems curious to use the word 'liquidator.'

Mr. FITZPATRICK. I may say that I did this myself and I am open to receive any suggestions that may be made.

Mr. R. L. BORDEN. Why not call him a 'provisional treasurer.' ?

Mr. FITZPATRICK. All right.

Mr. HENDERSON. I would suggest that a time limit should be placed so as not to have it continue for 30 or 40 years.

Mr. FIELDING. I would suggest that no lawyer should be allowed to touch it.

Mr. FITZPATRICK. You might do that in order that it may be badly done.

Mr. BARKER. I would suggest the word 'adjuster.'

Mr. HENDERSON. Would not the provinces have power to appoint arbitrators or commissioners ?

Mr. FITZPATRICK. No, this officer will have the power to distribute ; we want to avoid what occurred in the case of Ontario and Quebec. I think the word 'liquidator' will serve as well as any. I move:

That the word 'provisional' in the third line of subsection 1 and in the first line of subsection 2 be struck out.

Mr. MONK. Had you not better fix the salary ?

Mr. FITZPATRICK. I really intended to take an official from the Northwest Territories who is familiar with that work and has a large amount of experience.

Section as amended agreed to.

On section 15—commencement of Act—

Mr. FITZPATRICK moved :

That the word 'July' in first line be struck out, and that the word 'September' be substituted.

Section as amended agreed to.

Bill reported.

DOMINION CONTROVERTED ELECTIONS ACT—AMENDMENT.

Bill (No. 159) to amend the Dominion Controverted Elections Act—Mr. Fitzpatrick—was read the second time, considered in committee, and reported.

NORTHWEST TERRITORIES REPRESENTATION ACT—AMENDMENT.

Bill (No. 156) to amend the Northwest Territories Representation Act—Mr. Fitzpatrick—read the second time and House went into committee thereon.

On section 2—section 30 amended ; posting of lists ; notice by enumerator.

Mr. R. L. BORDEN. I want to suggest an amendment to that. The third subsection which has been read provides that the enumerator shall put up a written notice stating that he will attend, but it does not go on and impose upon him an obligation to attend. Perhaps my hon. friend the Minister of Justice has an amendment in that regard.

Mr. FITZPATRICK. No, I have a general amendment imposing penalties all around.

Mr. R. L. BORDEN. I would move in amendment :

That section 2 be amended by adding to subsection 3 at the end thereof the words 'and the enumerator shall attend for that purpose at the time and place so designated for at least two consecutive hours on each of the said eight days.

Mr. FITZPATRICK. All right.

Mr. SCOTT. Does the government propose to provide for additional remuneration to the enumerators ?

Mr. FITZPATRICK. Why ?

Mr. SCOTT. For this additional duty which will tie them up for two hours for eight days.

Mr. FITZPATRICK. When the elector has the right to go to him at any time during that period the least we can expect is that the enumerator, who is our officer, shall be in attendance at the place appointed.

Mr. SCOTT. There is not a very heavy remuneration provided in any case for the enumerators.

Mr. FITZPATRICK. And worse than that when they earn it they do not always get it.

Mr. SCOTT. That is another point. In many cases the Auditor General has interposed objections to their getting that which they ought to have under the existing law. I venture to say that the average enumerator has not been necessarily obliged in the full performance of his duty to remain tied up for sixteen hours for the purpose of providing these certificates.

Mr. FITZPATRICK. It is fair, I think, that they should be paid.

Mr. R. L. BORDEN. Is not the remuneration fixed by Order in Council so that it can be dealt with at any time ?

Mr. SCOTT. I am not certain, but I think there is a schedule provided in the Act.

Mr. R. L. BORDEN. If there is a schedule provided in the Act, I think it should be taken into consideration.

Mr. FITZPATRICK. The remuneration is fixed by Order in Council.

Mr. SCOTT. Oh, well. I think they should have special remuneration for this.

Section as amended agreed to.

On section 3,

Mr. R. L. BORDEN. I beg to move that after the word 'certificates' in subclause A, the following words be added :

For use in any one polling subdivision.

This is evidently the intention of the clause, and these words have been apparently omitted.

Amendment agreed to, and section as amended agreed to.

On section 5.

Mr. R. L. BORDEN. I beg to move that the following be added as section 6 :

That Bill (No. 156) be amended by adding the following as section 6 of the Bill :

The said Act is amended by inserting the following as section 8½ thereof :

8½. Every person employed or acting at any time during an election for an electoral district as agent for or on behalf of any candidate in such election in the management or conduct of such election, or in the canvass for votes, or in the organization of the contest for such election, or otherwise in the promotion of a candidate's election, who shall act in such electoral district for such election as deputy returning officer, election clerk, poll clerk or in other

public official capacity, is guilty of a misdemeanour.

I am not personally familiar with the facts, but I am informed it has been the practice in the Northwest that men who are in charge of the election campaign for a candidate are selected to act as deputy returning officers or otherwise in an official capacity as officers of this parliament It is obviously not desirable in the public interest that such should be the case. A servant of parliament should be an impartial officer and should not engage actively in the management of a campaign for one candidate or another. I submit the amendment for the consideration of the Minister of Justice.

Mr. FITZPATRICK. I can see no reason why we should make that principle applicable exclusively to the Northwest Territories. If it is adopted at all it ought to be a law of general application.

Mr. BARKER. Still it might go into this Act.

Mr. FITZPATRICK. It seems to me it had better be applied to all the elections throughout the Dominion; it is not a bad principle by any means.

Mr. R. L. BORDEN. I think so, too, but will it not be taking a step in the right direction if you insert it in this Act? I also bring to the attention of the Minister of Justice the following amendment:

That Bill (No. 156) be amended by adding the following as section 7 thereof:

Any person being at the time employed in the service of the Dominion of Canada, or in the service of any province or territory of such Dominion, who shall during an election for an electoral district solicit any other person to vote for or to vote against any candidate in such election, or who shall in such election act as agent or otherwise for or on behalf of any candidate, or in the promotion of his election, or in the management, conduct or organization thereof, or in the canvass for votes, is guilty of an unlawful act and shall also forfeit the sum of two hundred dollars to any person who sues therefor with costs.

As I understand the conditions in the Northwest Territories it is most necessary to embody the principle of this amendment in the law. The policy has been laid down by this government that officers of the government paid by the people of this country shall not be actively employed either for or against any candidate at an election. They have the right to exercise their franchise, but their public duties are supposed to take up their whole time, and as the Prime Minister very well put in 1897, if any public officer sees fit to actively engage in political work the government will give him his whole time for that purpose. That is a principle which has not been acted upon by the government, and especially so in the Northwest Territories, where I am informed the officers of the government, especially the officers of the Department of the Interior, have in the most wholesale and unblushing manner actively engaged in the work of canvassing in the interests of government candidates. It is not desirable that that should be continued, and I do not know any better way of stopping it than by legislation of this kind. I am content to accept such legislation for the whole Dominion of Canada, but as the conditions in the Northwest Territories are, I am told, worse than elsewhere in this respect, and as we have now this Bill before us, I bring the amendment to the attention of the government in the hope that they will adopt it as well as the other amendment I have proposed. I do not know that the wording of these amendments is drafted in exactly the best shape that could be devised. It is not so much the exact language as the principle which I am asking the government to accept.

Mr. SCOTT. I have not a word to say by way of comment on the suggested amendment of the hon. leader of the opposition; but he has again to-night, as has very often been done, not only in this House, but in the newspaper press, thrown out insinuations against the civil service of the Northwest Territories, and I am going to ask the committee to listen to a piece of proof with regard to a specific case. This newspaper clipping is a proof that very often upon the flimsiest kind of evidence, these charges are made against members of the civil service. I may remind my hon. friend from Qu'Appelle (Mr. Lake) that a couple of months ago he made a charge in the House on the basis of a two-line item in a newspaper against two members of the civil service who live at Regina, Messrs. Bredt and Porter, one a member of the immigration staff and the other a homestead inspector.

Mr. LAKE. Will the hon. gentleman specify? I am not quite sure to what he refers.

Mr. SCOTT. If I remember rightly, the hon. member, on the basis of a two-line item in a Regina newspaper, raised a discussion on the whole question whether the civil service in the Territories were departing from their proper line of duty.

Mr. LAKE. I am not aware that I made any special charge against these two gentlemen.

Mr. SCOTT. Did not my hon. friend quote from the Regina 'Standard' an item charging Messrs. Bredt and Porter with going into the Edmonton district in May and taking part in the election?

Mr. LAKE. I quoted an article and asked if it was true and the hon. gentleman said it was not.

Mr. SCOTT. I will give the committee further proof by quoting a short article from the Regina 'Standard' on June 12. It is headed, 'A Correction,' and is as follows:

We regret to find that an item which appeared in this paper by error, and which was afterwards rectified, should have been made the subject of discussion in the House of Commons. The return of Messrs. P. M. Bredt and S. P. Porter from an official trip along the boundary districts was noted in this paper a day or two after it had been erroneously stated that they had gone to Edmonton.

It may not be unfitting to say right here that we are strongly opposed to official interference in elections. We felt the full brunt of it in 1896, when the editor of this paper was a candidate, and the whole official horde of the dominant party of that day was let loose. It was not a matter of choice with some of them. To go out and fight for their masters was a command which no official of that regime dared disobey.

We believe Messrs. Bredt and Porter took some part in the last general election, but both resigned before entering upon the campaign. That they have been re-appointed speaks well for their efficiency in either capacity.

Mr. R. L. BORDEN. Occasionally that form was gone through, of having them resign thirty days before an election, and having them re-appointed a few days after the election.

Mr. SCOTT. My hon. friend knows that there is a very high precedent for that in the case of Sir Charles Tupper.

Mr. R. L. BORDEN. I am not talking of precedents. I am talking of the form gone through ; but I am told that that form is not always gone through, but that a great many officials take part in elections openly.

Mr. SCOTT. I would ask the hon. gentleman to take with a grain of salt such statements with regard to Northwest officials.

Mr. M. S. McCARTHY. Does the hon. gentleman pretend for one moment that Mr. P. M. Bredt was not actively engaged prior to the last election assisting himself ?

Mr. SCOTT. Mr. P. M. Bredt some time before the election resigned his position and then took part in the election.

Mr. M. S. McCARTHY. Was he not present at the meeting at Moosejaw at which the hon. gentleman was nominated, and was he not an official then ?

Mr. SCOTT. A great many things occurred at that meeting that I would not like after so many months to have to undergo cross-examination on.

Mr. M. S. McCARTHY. I have the evidence here to show that he attended the meeting that nominated the hon. gentleman and made a speech on his behalf. When the hon. gentleman talks about statements being made to the hon. leader of the opposition that are not borne out by the facts, we are prepared to discuss these statements with him at any time.

Mr. FITZPATRICK. Have a special session for that purpose.

Mr. M. S. McCARTHY. Yes. I do not propose to go into the matter now, but I will deal with it at a more opportune time. The hon. gentleman knows that Mr. Bredt is not the only official in his riding who actively engaged in his behalf prior to the last election. Mr. Bredt has since been appointed to a position at an increased salary, doubtless due to the assistance he gave to the hon. gentleman.

Mr. SCOTT. I beg the hon. gentleman's pardon. He is working at the same salary he had before his resignation.

Mr. R. L. BORDEN. That shows that the resignation did not amount to anything. The salary went on after a certain day.

Mr. SCOTT. It did not go on while he was taking part in the election.

Mr. FITZPATRICK. I may say that before officials are called upon in future to take part in a general election there will be a law applicable to the new provinces similar to what is applicable to all the other provinces of the Dominion. It will be scarcely possible to single these new provinces out for special treatment, and I apprehend that if there is any necessity for the provisions which the hon. leader of the opposition has referred to, they will be dealt with in a general Act.

Amendment of Mr. R. L. Borden negatived on division.

Mr. M. S. McCARTHY. I desire to move that the Bill be amended by adding the following as sections 6 and 7 :

6. Every officer or clerk who is guilty of any wilful misfeasance or any wilful act or omission in violation of the said Act or any amendment thereof shall forfeit to any person aggrieved by such misfeasance, act or omission, a sum not exceeding five hundred dollars, in addition to the amount of all actual damages thereby occasioned to such person.

7. Every officer or clerk who refuses or neglects to perform any of the obligations or formalities required of him by the said Act or any amendment thereof shall, for each such refusal or neglect, forfeit the sum of two hundred dollars to any person who sues therefor.

Amendment agreed to ; Bill reported as amended, and amendments read the first and the second time, and agreed to.

CENSUS AND STATISTICS.

Mr. FISHER moved second reading of Bill (No. 163) to amend the Census and Statistics Act. He said : This is simply an Act to substitute the names of the new provinces for the name of the Northwest Territories in the Census and Statistics Act, which were passed in the early part of this session.

Motion agreed to, Bill read the second time, considered in committee and reported.

NORTHWEST IRRIGATION ACT.

Bill (No. 161) to amend the Northwest Irrigation Act, 1898—Mr. Oliver—read the second time, and House went into committee thereon.

Mr. OLIVER. The Act provides that a certain officer designated shall be our officer for administering the Irrigation Act. He is at present an officer of the local government at Regina. We utilize him for that purpose, and pay part of his salary. As the province of Saskatchewan contains very little area requiring irrigation, it would not be suitable to have an officer of the Saskatchewan administration act for us in administering the Act, and this is merely to provide that we may apponit an officer resident in Alberta.

Bill reported.

On motion of Mr. Fielding, House adjourned at 12.40 a.m., Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, July 5, 1905.

The SPEAKER took the Chair at Three o'clock.

DOMINION ELECTIONS ACT AMENDMENT.

Mr. R. L. BORDEN moved for leave to introduce Bill (No. 189) further to amend the Dominion Elections Act, 1900. He said: The purport of the Bill is to add two sections, 118a and 118b, to the Act. Section 118 of the Dominion Elections Act provides :

> Any person who, before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election, for the purpose of promoting or procuring the election of another candidate, is guilty of an unlawful act, and shall also forfeit the sum of one hundred dollars to any person who sues therefor, with costs.

The section which I propose to add as 118a is as follows :

> Any person who, before or during an election knowingly prints, publishes, posts, circulates, or distributes any written or printed statement falsely purporting to be made by or on behalf of a candidate at such election, for the purpose of prejudicially affecting the election of such candidate, or of promoting or procuring the election of another candidate, is guilty of an unlawful act, and shall also forfeit the sum of two hundred dollars to any person who sues therefor, with costs.

Mr. FISHER.

The object of this is to prevent an offence which is of a very old character, but one which is sometimes particularly odious—the trick of sending out circulars and documents purporting to be issued on behalf of the candidate when, as a matter of fact, they are sent abroad for the purpose of injuring the prospects of his election. In a recent election in the province of Ontario charges and counter-charges have been made that this has been done. Those who are associated with the political party to which I belong claim that circulars of this kind purporting to emanate from the Conservative candidate were sent abroad, with which the Conservative candidate and his committees had no connection whatever. Whatever may be the truth of these charges I do not know. It is desirable, however, it seems to me, that some provision of this kind, which is quite in line with section 118 of the Act, should be placed on the statute-book ; and, although it is late in the session, I bring this to the attention of the government in the hope that they may see fit to adopt either this section or some section substantially the same, and have it placed on the revised statutes of Canada in the revision that is now being made. The other clause which I am moving, section 118b, is taken almost verbatim from a provision in the English Elections Act. It is as follows :

> Every bill, circular, placard, or poster, having reference to an election shall bear on the face thereof the name and address of the printer and publisher thereof, and any person printing, publishing, posting, circulating or distributing, or causing to be printed, published, posted, circulated, or distributed, any such bill, circular, placard or poster as aforesaid which fails to bear upon the face thereof the name and address of the printer and publisher is guilty of an unlawful act, and shall also forfeit the sum of two hundred dollars to any person who sues therefor, with costs.

The object of this is not only to carry out the intent of section 118a, to which I have just referred, but it is also for the purpose of having some responsible person to whom recourse can be had in case false and libellous statements are published and circulated about any candidate at any election. It is desirable, I think, to follow the British practice in that regard, and to prohibit the circulation of any bills, circulars, and so forth, unless they bear upon them the imprint of the person who has printed them, and who, in the first place, at least would be responsible. Section 2 of the Bill which I am introducing is simply a verbal amendment to section 119, which is made necessary by the insertion of section 118a and section 118b.

Motion agreed to, and Bill read the first time.

CIRCULATION OF FOREIGN COIN.

Mr. BERGERON. Before the Orders of the Day are called, I want to ask the Min-

ister of Finance if he intends to do anything to prevent the circulation of foreign coin in this country? On a previous occasion I understood the hon. gentleman to say he intended doing something.

Mr. FIELDING. I shall be able to make an announcement in the budget speech.

HALF-BREED SCRIP.

Mr. FOSTER. The right hon. gentleman promised to give me some information to-day.

Sir WILFRID LAURIER. I have conferred with the Minister of Justice, and we are dealing with the matter. We shall select somebody to carry on the investigation.

Mr. FOSTER. Does that go so far as granting the request I made?

Sir WILFRID LAURIER. I cannot say that. I will tell my hon. friend to-morrow when the Minister of Justice advises me.

PROVINCIAL GOVERNMENT IN THE NORTHWEST TERRITORIES.

Sir WILFRID LAURIER moved third reading of Bill (No. 69) to establish and provide for the government of the province of Alberta.

Mr. WALTER SCOTT (West Assiniboia). Before this Bill finally passes, I wish to refer at some length to a very important matter of detail, namely, the Canadian Pacific Railway exemption. In committee upon this Bill I proposed an amendment to section 23 and my amendment was as follows:

> Provided that the foregoing shall not prejudice the right of the parliament of Canada, by expropriation or otherwise, to obtain the relinquishment by the said company of the company's rights under section 16 of the contract aforesaid.

I am sorry to say that in Committee of the Whole my proposition received very scant attention. The failure of hon. gentlemen opposite to give more attention to it would have been a matter of surprise if any one really thought that these hon. gentlemen were sincere in the talk they have been indulging in for the past five months with regard to provincial autonomy. On the question of education, they have been disturbing the whole of Canada with the exception of the Northwest Territories. They failed, however, to disturb the people of the Northwest Territories on the matter of education and upon the subject they have been seeking to create a disturbance about practically nothing. As a representative of the Territories I tell them here and now that the Bills creating the new provinces are granting to these new provinces, in relation to education, all the freedom they desire. The Bills leave the provinces free to do exactly as they please in that matter. The Bills leave them free to retain their existing admirable school system, and I think the House and country have been given the most ample proof that what the people of the Territories desire to retain and maintain their present school system. But if any one is seriously concerned in the question of provincial rights he should devote his attention rather to section 23, which concerns the matter of tax exemptions than to section 16 regarding education. In the matter of tax exemptions involved in section 23, the provinces are not left free. If the school districts and municipalities and legislatures were left free to tax the Canadian Pacific Railway, they would without doubt, use that freedom. The failure of members on this side and members of the government to support my proposed amendment was to me a matter both of surprise and regret. In any case I had the right to expect from the government at least a moment's consideration of the proposal and a statement of their reasons for rejecting it, if any good reasons exist. The extremely casual way in which my amendment was rejected in committee may have been due to my own failure to make sufficiently plain my position in the matter, the intrinsic importance of the subject, and why the amendment ought to be adopted. If I fail to make these points plain now, it will not be my fault. To make my meaning plain, I must refer to the autonomy question in a general way. Prior to my first coming to this House in 1901, I was an advocate of immediate autonomy for the Territories. In 1901 and 1902, I urged my opinions in that direction strongly in this House. In March, 1903, the Manitoba courts gave a judgment on certain test tax cases, to which I shall refer later. That judgment was such as to lead me to revise my views as to the desirability of the Territories immediately obtaining autonomy. The Ottawa correspondent of the Winnipeg 'Free Press' obtained interviews upon that judgment from most of the Northwest members. In my statement to that correspondent, I spoke as follows:

> As a Northwest citizen I was disappointed last year when autonomy was not granted, but to-day I am exceedingly thankful that parliament then found it inexpedient to grant our demand. We will now wish for no constitutional change until judgment on the contention raised by Mr. Howell has been obtained from the Privy Council, and if the judgment of the Manitoba court is upheld, then the Northwest before becoming a province will have a very important arrangement to be arrived at with the Canadian Pacific Railway relating to this matter of exemption from taxation.

Towards the end of the 1903 session, the House was called upon to vote on a motion presented by the leader of the opposition

relating to autonomy, and one of the reasons I advanced for voting against that motion I stated as follows, as will be seen on referring to the 'Hansard' of 1903, page 13931:

> Let me say, in conclusion, that in face of the position of this Canadian Pacific Railway tax matter, in view of the millions of acres of the land that are involved, of the millions of value in railway property of the company that are involved, it appears to me that the people of the Northwest would be simply crazy at present to accept autonomy unless driven to it as a last resort—and we are not driven to the last resort this year, because our immediate financial needs are fairly well met; the lack of borrowing power remedied by the capital advance method; and little room for complaint is left us as regards railways. Such being the case, I certainly approve of delay until all doubts of the Canadian Pacific Railway tax question is removed. I hope this doubt will not exist very long. I hope the case will soon be settled by a judgment of the Privy Council. Possibly it may be too much to hope that it may be settled before next year, because the law courts move slowly. But the position I take is that the government should obtain from the Privy Council a final decision upon this Canadian Pacific Railway tax exemption, and that as soon as it is obtained the people of the Northwest should be granted provincial autonomy.

This view thus expressed in the newspapers and in the House, I also expressed very distinctly to my electors in West Assiniboia, particularly during the election contest last autumn, and I have every reason to believe that the majority of the electors of West Assiniboia concurred in the view. I declared explicitly in the contest that I should oppose any constitutional change until the tax exemption matter became more clear, and until the people of the Northwest learned definitely that they would not as provinces stand in danger of the burden of that perpetual limitation upon their taxing power which was imposed upon the added portion of the province of Manitoba in 1881. The situation in January last when the autonomy negotiations opened was that no final judgment had been obtained. It is true that, since January, the Supreme Court of Canada has given judgment overturning the Manitoba court's decision, of March, 1903. But, until the case has been carried to the Privy Council and judgment obtained there, the matter cannot be considered as finally settled. I need not repeat to the House that in January last I was opposed to proceeding with the autonomy measures. Now, I shall explain briefly the reason why the Manitoba court judgment led me to revise my view on the question of autonomy. The Northwest test case was that of a school district, the Springdale school district. It was not a case brought by a municipality, nor a case directly raising the question of the powers of the local legislature to levy a tax upon the company. The case was taken for the purpose of obtaining an interpretation of the disputed question of the twenty years' land tax exemption, without reference to the roadway. But the arguments made by the government's counsel, Mr. Howell, of Winnipeg, were such that, if concurred in by the court, as was the case in the Manitoba court, they necessarily applied as well to the feature of the exemptions relating to the roadway. Mr. Howell raised the contention that a tax levied by any body or power within these Territories did not come within the class of taxes from which the Canadian Pacific Railway Company were exempted by the contract, these classes of taxes being such as might be levied 'by the Dominion, by any province hereafter established or by any municipality therein, in other words the contention was that, as long as we remained Territories the Canadian Pacific Railway had no right to exemption of taxation in the Northwest, either upon lands or upon roadbed; and that it was not until the Northwest was created a province that any exemption rights became existent. The contention was a new one. Until it was raised by Mr. Howell, no one ever thought of questioning the company's rights to freedom from taxation on the roadway or freedom for at least twenty years on the land. Let me quote from Chief Justice Killam's judgment to show that the judgment meant just what I have stated:

> The case from the Northwest Territories raised another question. Does the exemption apply to the enactments of the legislature of the Northwest Territories or to the taxation by subordinate bodies created by that legislature? . . . . Evidently these words—'taxation by the Dominion'—did not mean taxation by any government or authority in the Dominion having the power of levying taxes. Taxation by a province or by a municipal corporation was recognized as something different from taxation by the Dominion. . . . In my opinion the expression 'taxation by the Dominion' did not, either from the import of the words themselves or by reference to other portions of the clause or the contract, include taxation by the government of the Territories or any body to be established by it, within its then powers.

I repeat that when I became aware of the purport of that judgment I at once made up my mind that the Northwest had better accept no constitutional change until we had ascertained finally whether Chief Justice Killam's view was the right one, because, in my opinion, any loss to be occasioned by delay of two or three years in gaining autonomy, would be light and temporary in comparison with the permanent loss to the province involved in the perpetual inability to tax the Canadian Pacific Railway roadbed. If the Privy Council were to uphold the Manitoba judgment and if it were finally found that the Canadian Pacific Railway must pay taxes as long as we remained Territories, it needs no argument to show that to obtain prior relinquishment by the company of the exemption rights that would otherwise become effective with the erection of

provinces would be a comparatively easy task.

I now ask the House to consider the intrinsic merits of this question. There is a railway mileage involved in the two provinces of 750 miles, with six divisional points. Assume that this has a taxable value of $100,000 for each three miles—and it is stocked and bonded for $193,500 for each three miles—and you have a total taxable value of $25,000,000 to-day. A tax of 5 mills on the dollar—which is only ½ of 1 per cent, would amount to $125,000 per annum. But it is not particularly for to-day or for the immediate future that we are concerned. To-day it is the custom at least in the newer parts of the country, to give aid to railways rather than to levy taxation upon them. It is to the future that we have to look. If that property is worth $25,000,000 to-day, it will be worth—everybody will admit—some day, $100,000,000. While it is not our policy to tax railways to-day, yet when more stable conditions come and the country is more fully developed it will be fair that railway properties equally with the other properties shall contribute toward the cost of school, municipal and general government. I say that the loss involved to these two new provinces if they should be subjected to perpetual inability to tax this property is a loss simply beyond calculation. The exemption of the land is the least momentous, because it is only temporary, but it is still serious enough, I will give the House figures showing the land that the company owns at present in the Northwest Territories. The company has earned land grants as follows :

	Acres.
Main line construction..	18,206,986
Souris branch..	1,408,704
Pipestone extension..	200,320
Manitoba and South Western colonization lines	1,396,800
On account of Gr. N. W. Central Ry.	320,000
Total..	21,532,810
Total taken in Manitoba..	2,720,300
Total taken or to be taken in N.W.T.'s	18,812,510

The company has made sales up to date of approximately 10,000,000 acres—for about $33,500,000, I may say—of which as nearly as can be learned upwards of 7,500,000 acres were out of the lands in the two new provinces, leaving roughly 11,300,000 acres still owned by the company in the Northwest Territory, or about 70,500 quarter sections, which if taxed at $10 per quarter section would yield annually $705,000. Now, you may cut my calculation in two, and still have a very large amount. You will still find that by this exemption at this moment you are leaving each province shorn of a resource of a value about equal to what you are going to pay each province in lieu of its public domain. Instead of attempting myself to characterize in fitting language what has been very properly termed the incubus of these exemptions, I am going to ask the House to listen to words far more forcible than any which I could utter, which were spoken in this chamber some twenty-five years ago. They should appeal especially to hon. members on this side of the House. The experience of twenty-five years, the bitter experience of twenty-five years has shown the truth of every one of these words. I shall quote the words of Hon. Edward Blake, spoken in this chamber on December 15th, 1880, and to be found in 'Hansard,' 1880-1, page 97. Mr. Blake was referring to the Canadian Pacific Railway contract and particularly this exemption feature :

> They have perpetual exemption from taxation on their enormous property, a most monstrous provision in my opinion. Why! This monstrosity is not to last merely twenty years, which is to be the period of bondage in other respects, it is to last for ever. No matter how wealthy the company may be, how enormously lucrative, this institution is to be, for all time to come it is to be free from taxation in every place in which this Dominion can free it from taxation, and it is to be free everywhere from Dominion taxation in all the territories both from Dominion and territorial taxation wherever the Dominion can give it freedom and that is through all of the fertile belt at any rate. . . . Then, sir, there is freedom from taxation for the lands for the long period of twenty years, and that term of twenty years is from the time they acquire the lands and, therefore, is for longer than twenty years from now ; it is perhaps on the average twenty-five years—nay, more than that, I am not at all certain that it may not be very easy to arrange to make it longer, because by a convenient arrangement by which they are not to take out the patents until they want to sell they can keep them free from taxation until they want to put them on the market, indefinitely, indeterminately—until it suits them to dispose of them.

As long as the Conservatives were in power these words were perfectly true.

> The hon. gentleman says, perhaps, it does look awkward at first sight. . . . All their lands are exempt from taxation for a generation to come. What a discouragement this is to the settlers on the line of railways, to those who are settled on homesteads and preemptions alternating with these blocks of land which are to be the property of the syndicate. . . . There can be no greater obstacle to the progress of that country by the encouragement of other settlers than that large spaces of unoccupied lands should alternate with settlers' farms. Now add to the difficulty which exists in that respect, which the largeness of that area will enhance, at any rate, in a large degree. the fact that there is no power to impose municipal taxes on 25,000,000 acres of the choicest lands, those nearest to the railway, and you place a bar to progress and render it impossible to overcome the difficulty. You say that the cost of roads and bridges, schools and other municipal taxes are to be imposed on the settlers to enable the worthy syndicate to hold their lands until the reduced labours of those settlers have been sufficient to increase the unoccupied areas in value to induce the

millionaires, the holders of the lands in the Northwest, to turn them into money. . . . Talk to me of this thing standing! It will not stand. If you pass this law and if the country of which you speak so glowingly is what you depict it, and if its prospects of settlement are such as you hope they are, I say you are blighting these prospects by passing this law; and if these prospects are measurably realized, notwithstanding the passing of this law, I say the people of that country would be less than men if they suffered such a law to exist.

Again, Mr. Blake, on January 18, said:

Do you want that your hands should be tied, or that they should be free to act as the public interest may require?

Mr. Blake was here referring to the alternative contract which had been offered.

If you want to tie them, take the contract; if you want to keep them free, take the other proposal. The choice is yours, the responsibility of choosing is yours. Choose, then, and choose wisely. The contract frees from taxation the railway, its property, and its stock. That exemption is contrary to the general rule in the United States. A little book which contains the report of Charles Francis Adams and others on the subject of railway taxation in the United States, and elsewhere, summarizes the law upon this subject and makes it to appear that in the whole of the states of the Union there is no instance of general exemption from taxation. There may be one or two isolated cases in particular states of partial and temporary exemption from taxation of particular railways under special circumstances; but the general rule of almost universal application is that there is no exemption in one form or another from taxation. The instances which the hon. Minister of Railways quoted in other places in Minnesota and Wisconsin, are instances of exemption from taxation by one statute and the imposition of taxation by another—a license tax, a tax upon gross receipts, is imposed in lieu of other taxes, and it may be that this is the fairest mode of taxation. Some hon. gentlemen have said that it is of very little consequence, that the road-bed is taxed very lightly in Ontario, that some of our legislatures have declined to tax railway companies at all. But what kind of railway companies were these? They were railways built by private capital, and were not paying interest on their investments. I do not say that a rule of this kind does not apply to a railway that is built at public charge and that is given a monopoly to secure it in obtaining good rates for its traffic. But this is no temporary exemption, it lasts for ever; no matter how bloated this corporation may become, no matter how magnificent may be its network of railways, no matter how blooming its country, no matter how prosperous the towns which are tributary to it, no matter how exaggerated its dividend, for ever and for ever and for ever you free it from Dominion, new provincial and municipal taxation. In considering that, you have to look at the general result of taxation. Some of the United States railways you find paying a tax of $300 or $400 per annum, and $600 or $800 per annum is paid as taxes by the English railways. You find, therefore, that the possibilities of railway taxation are very great. You find the Illinois Central Railway paying almost the whole expenses of the government of that state, and you find the people so nervous lest the legislature should be corrupted and should dispense with that, that they have actually put a clause in the constitution providing that the taxation of the Illinois Central Railway shall not be modified by the legislature, but shall be referred to the general voice of the people. But you do not keep your hands free, you tie them, and you say for all time we will never charge this railway company any taxation upon its property, its stock, or its capital. I say that I can well conceive a time when a tax on the gross receipts of railways might be a very satisfactory tax and a very satisfactory source of revenue to this Dominion. A tax for transportation would apparently be a very equal taxation, and if the necessity arose of adding to the revenue, it is quite possible that we might wish to avail ourselves of such a tax. There is another point in which this exemption is objectionable. It places this company in the position of a monopoly by itself, because it places at a disadvantage all competitors who are to raise the funds themselves to build their railways. The contract requires perpetual exemption, the other offer does not demand any exemption at all. Choose! The choice is yours! Take the perpetual exemption in the contract or take the liability to taxation in the offer. Yours is the choice; for it you will be held responsible. Then the contract provides that the land grant shall be exempt from taxation for twenty years, unless sold or occupied from the date of the grant. The money gain to the company is enormous, there can be no doubt about that. There can be no doubt but that the burdens which this company are freed from are most serious. Hon. gentlemen opposite have said so. They have said they could not use this land grant otherwise, that nobody would buy if they supposed the syndicate was to be subjected to the same taxes as the rest of the world. They get the choice of land and they are not to pay the same taxes as the rest of the community. Why should they not? Is it because they get a large profit? Because they are getting altogether four prices for building the prairie section, that, therefore, they are to be untaxed and free? Then the indirect loss is still greater by this mode of settlement, by the burdens it imposes on the adjoining settlers for the benefit of the railway company itself, by the imposition of double taxes on those who go in for the benefit of this great corporation. I do not know of anything that will more interfere with the development of the Northwest than this clause of exemption from taxation. Will you free the lands, or will you make them subject to taxation? Will you give the company the benefit of exemption from taxation, or will you let the lands be subject to taxation, and let the progress of the Northwest country be advanced by those lands, like other lands, being subject to taxation? The choice is yours; choose.

Other members of the Liberal party of that date uttered equally strong language upon this feature of the contract. The late Mr. M. C. Cameron, who sat for one of the Hurons, said on January 4, 1881:

We are allowing the company to select the best lands in the whole territory. We exempt them from all taxation, and the immigrants we induce to settle there pay every farthing of provincial and local taxes. This company and all of their property and land, stock and roadway, with all their appurtenances are exempt

from taxation for all time to come. We are inviting immigrants to settle our boundless prairies and then tell them they must pay taxes to keep up the provincial and local governments, they must build the roads and construct the bridges, but the poor syndicate must pay nothing—they are altogether exempt from taxation. Every December the tax collector will call on the farmer there, but he dare not call on the syndicate. And so we are building up a gigantic monopoly, we are giving them huge privileges that no company should get; we are doing more than that, we are giving them all these privileges and advantages so that they may be in position to harass and oppress the people we are settling there. . . . I say, sir, that this is no small matter; I say that parliament should not, even if it had the power, deprive the people of that country—formed into provinces as it will be—of the power of exacting from this company taxes upon lands which they will hold for the purpose of making the most of, and thus throw the burden of local improvements on the actual settler. Sir, I never heard a proposition so monstrous as this one; I never heard one justified upon such grounds as have been advanced to support this proposition and no such proposition was ever before submitted to a free parliament.

Mr. John Charlton, on the 27th of January, moved an amendment on behalf of the Liberal opposition as follows:

That the contract respecting the Canadian Pacific Railway exempts perpetually the railway and all stations, &c., from taxation by the Dominion, &c.; that the property of the corporation will be in substance a gift from the public and its exemption from taxation is unjust; it creates an unfair incidence of taxation and gives an undue advantage to the company over other railway companies calculated to prevent the construction of competing lines; and the contract is in this respect objectionable.

In support of that amendment Mr. Charlton said in part:

It is not a principle which can be controverted that for the payment of the expenses necessary to be incurred in the maintenance of law and order all property should bear its equitable and due proportion; that no property whatever should be exempt from payment of its share of the expenses of maintaining law and order. . . . A settler in addition to paying the railway tax must pay a portion of the debt created for the benefit of the railway. The first item is the $31,000,000 incurred in building the portion of the line to be handed over to the company and cost of surveys, that amounts to $7 per head for every man, woman and child in the Dominion; in the next place he must pay a proportion of the taxes for the $25,000,000 to be paid over to the company, which amounts to over $6 per head for every man, woman and child in the Dominion; in other words the amount per capita is over $13 in addition to a fair proportionate share of the ordinary taxes of the country which should be borne by the company. In addition to all this a settler on the alternate blocks is to labour for the benefit not merely of himself but for the benefit of this company who will be enabled by the advantages given them in this contract to withhold their lands from the market as long as they please. For every two blows that he strikes he is to feel that he is striking one blow for a soulless corporation which quietly awaits his efforts, knowing that it has only to wait to realize results to which they do not contribute in the slightest degree.

It is 25 years ago that these words were uttered in this House with rare prophetic insight. I have quoted them here to establish my proposition that section 23 involves a limitation upon provincial autonomy of no trivial character. I trust that I have said enough now to show the House clearly my own position in the matter in its relation to the Autonomy Bills and as well the intrinsic importance of the subject. I propose next to show particularly why I think my amendment should be adopted. Probably it is not necessary for me at this stage to say that I am not proposing repudiation. I am not proposing to take away from the company any of its contract rights. I stand in that regard just as my hon. friend from Qu'Appelle (Mr. Lake) who when referring to this subject some weeks ago said that no right thinking person would propose to deprive this company of any rights which the parliament and people of Canada 25 years ago with their eyes open gave to them. I admit, as any right-thinking person must admit, that the contract must be respected. But I ask, whose was the contract? Was it not a contract made between the Dominion of Canada and the company? The Canadian Pacific Railway was and is a federal undertaking. These exemptions were and are a part of the cost of the undertaking. Then, why shift part of such cost price upon these new provinces more than upon the province of Nova Scotia or any of the other provinces of the Dominion? The new provinces are, without these exemptions, bearing their fair share of the undertaking with the other provinces of Canada. Then, why place them under a double burden? Let me quote a little further from the debates of 1881, when the contract was first before parliament. I will quote from a gentleman whose name is fairly well known and respected throughout the Dominion of Canada, the Hon. George W. Ross, who was a member of this House in 1881. He spoke as follows:

What does it mean? It means that the people of the Northwest as far as the railway company is concerned must tax themselves extra to the extent from which the company is relieved in order to procure such advantages as schools, highways, sidewalks, and other advantages of civilization. . . . There is another grievance to which I must refer and that is when a new province is erected and we come to confer upon it those advantages which it can claim under our confederation we will be bound to consider the exemption from taxation of the lands and property of this company; this will mean that the whole Dominion must be taxed in order to provide a larger subsidy for the maintenance of local institutions of such new province or provinces. We pay Manitoba already 80 cents a head and

several other perquisites. If we handed over to Manitoba her wild lands the subsidy to that province from the exchequer would not need to be so large. When we come to form a province in the Northwest and when the people come to find that the public lands are exempt from taxation with all the railway company's property and that the means for maintaining the municipal institutions in that province are closed against them, they will say: If we are going to be erected into a provincial government we must obtain a larger subsidy from the Dominion exchequer because we have not the advantages of taxation which other provinces have.

Mr. TAYLOR. Will the hon. gentleman allow me to ask him a question?

Mr. SCOTT. Certainly.

Mr. TAYLOR. Is the hon. gentleman aware that the Hon. George W. Ross withdrew that and every other statement that he had made opposing the building of the Canadian Pacific Railway in a public speech that he made a few years ago? He said that he had opposed it at every stage, but that he took it all back, that he approved of the bargain and contract with the Canadian Pacific Railway, saying that the Canadian Pacific Railway had built up the great Northwest, that without it our country would have been practically nothing, and that he withdrew every statement that he ever made.

Mr. SCOTT. If my hon. friend will have the patience to listen to the whole of the extract from Mr. Ross's speech that I am reading——

Mr. TAYLOR. I heard it in the House when it was made.

Mr. SCOTT——I am certain he will not find a single word of opposition to the Canadian Pacific Railway in it.

Mr. TAYLOR. He opposed it, as Mr. Blake and every other Liberal did.

Mr. SCOTT. I will have to read this again for the hon. gentleman.

Some hon. MEMBERS. Take it as read.

Mr. SCOTT. Let the hon. gentleman point out one single word of this extract which means opposition to the Canadian Pacific Railway:

> What does it mean? It means that the people of the Northwest as far as the railway company is concerned must tax themselves extra to the extent from which the company is relieved in order to procure such advantages as schools, highways, and other advantages of civilization. . . . . There is another grievance to which I must refer and that is when a new province is erected and we come to confer upon it those advantages which it can claim under our confederation, we will be bound to consider the exemption from taxation of the lands and property of this company; this will mean that the whole Dominion must be taxed in order to provide a larger subsidy for the maintenance of local institutions of such new province or provinces. We pay Manitoba already 80 cents a head and several other perquisites. If we handed over to Manitoba her wild lands the subsidy to that province from the exchequer would not need to be so large. When we come to form a province in the Northwest and when the people come to find that the public lands are exempt from taxation with all the railway company's property and that the means for maintaining municipal institutions in that province are closed against them they will say: If we are going to be erected into a provincial government we must obtain a larger subsidy from the Dominion exchequer because we have not the advantages of taxation which other provinces have. For instance, if one-quarter of Ontario or Quebec were exempted from taxation, in what position would they be? Evidently in order to maintain prosperity they would have to draw freely from the exchequer of this Dominion and the whole Dominion, from Vancouver's Island to Halifax, will need to be more largely taxed because of the exemption we are now considering under this contract.

Is there a word involving opposition to the building of the railway in that? Not a word. The Liberal party of that day were not opposing the building of the Canadian Pacific Railway. On the contrary the Liberal party when in power in the seventies were undertaking the building of that railway. I cannot conceive what my hon. friend is referring to. There is nothing I can find in Mr. Ross's words which involves any opposition to the principle of the undertaking, but the Liberal party of that day as a unit stood in opposition to some of the iniquitous features of this contract and particularly to the one which is going to place a limitation upon the provincial rights of the people of Alberta and Saskatchewan. George W. Ross, twenty-five years ago, when that contract was being debated, recognized and admitted that it was a federal undertaking, the cost of which ought to be borne by the Dominion. When the Dominion makes a payment every province contributes its equal share. If these provinces are left under these particular exemptions you are placing a double burden upon them—they are paying equally with the other provinces the money subsidies and the price of the $37,000,000 worth of completed road that was given the company—they pay almost the whole of the land subsidy—they bear equally with you the loss involved in the exemption from taxation by Dominion—and in addition to their full and equal share of the whole cost and burden, you leave them to bear alone a substantial piece of the cost of this federal undertaking beyond that share which the other provinces are carrying. Is there any fairness in that?

Look at it closely. The $25,000,000 cash subsidy to the company is looked on as a heavy charge to Canada. What is it actually? Three per cent on $25,000,000 is $750,000 a year. If my calculations are correct, the provincial tax exemptions will cost these two provinces easily as much. What then are you doing? You are asking the

provinces to bear alone a portion of the cost of the Canadian Pacific Railway equal to the item of cost which the whole of Canada bears by its $25,000,000 cash subsidy. I ask again, is there any fairness in that? Mr. Ross saw in 1881, if the exemptions were made an item of the contract, that when provinces were created it would be improper and unjust to leave them saddled with the burden of the exemptions. Mr. Blake in 1881 declared that the people of the Northwest would be less than men if they suffered such a limitation upon their autonomy to exist. In January, 1905, when confronted with the declaration of the government that provinces were to be erected this year, I took the position that if it was intended to leave the provinces under these exemptions I must oppose the measures, in particular view of the possibility that by waiting for the Privy Council judgment on the test cases a comparatively easy way might be found of obtaining relinquishment by the company of the provincial exemption rights. The Prime Minister intimated to me his recognition that these exemptions, both Dominion and provincial, would have to be abrogated in the interests not alone of the provinces but of the Dominion. With that intimation that the provinces need not fear that they would be left under the exemption perpetually I consented to take my part in discussing the autonomy terms and voted for the second reading of the Bills.

Mr. SPROULE. If you had not got that you would be on strike I presume.

Mr. SCOTT. You can have your own opinion about that. The Prime Minister has publicly repeated the assurance which he gave to me. What I ask now is that the government and the House shall concur in that assurance in a tangible way by putting in black and white in these provincial charters the notice of intention to cancel these exemptions,—a notice to all concerned, to the company, to the people of Canada and especially to the people of the new provinces. Is it unnecessary? I say it is no more unnecessary than your section 23. Section 23 does not say that the province cannot tax the Canadian Pacific Railway road or lands. It is not section 23 of these Bills, but section 16 of the contract of 1881 which imposes the limitation. Section 23 merely states that the provinces are subject to that contract—to the degree that the contract is good or bad in legality or constitutionality, weak or strong, doubtful or perfect, to that degree the provinces are bound. If you deem it proper and imperative to thus give notice to the provinces that their autonomy has been invaded by a previous parliament, then I say that it is not only equally proper, but doubly imperative, if there is sincerity behind the assurance given by the Prime Minister, which I do not for a moment question, that you shall give notice at the same time and in the same manner that parliament will in good time remedy that invasion, and that the provinces will not be left for ever under the unfair burden of these exemptions.

I appeal to the Liberal party on the strength of the principle of provincial rights; on the statement I made here in 1901, that entire equality as between the provinces is the only sure guarantee of the permanency of confederation; on the sound doctrine preached in this Chamber 25 years ago by Blake, Cameron, Charlton, Mills, Paterson, Cartwright, Laurier, and other Liberal leaders; and particularly on the declaration made in 1881 by Hon. G. W. Ross, which I have read. I appeal to the Conservative party in this matter because the difficulty is of their creation. It is not these Bills, it is not section 23 which limits provincial autonomy, but section 16 of the Canadian Pacific Railway contract. Whatever substantial or serious lack of autonomy there is against which these provinces will have to complain, is not the deed of the Liberal party, but of the Conservative party. Let me tell my hon. friends opposite that they need not think so far as the people of the Northwest Territories are concerned, that by raising a school question dust or a land question dust they are going to hide from the people of these Territories the knowledge of the fact that it is the Conservative party that is responsible for the only material limitation upon their autonomy which is being granted by these Bills to the new provinces. In every other respect where there is a departure from the strict plan of confederation it is a departure with which the people of the new provinces are entirely content. There is a departure with respect to representation; provision is made in these Bills for redistribution upon a census to be taken midway between two decennial censuses and there never has been any such provision made for any other province. That departure is in the interest of the people of these new provinces. There is a departure in connection with the debt or capital account. When I raised that question my hon. friend (Mr. Foster) took the position that it was much better in the interests of the people of these provinces that they should be put in a different position from the other provinces with regard to their capital or debt account. For instance, several million dollars stand to the credit of Nova Scotia and New Brunswick, and it is in the power of the governments of these provinces to withdraw that capital and use it immediately in any way they choose. But by these Bills the governments of Alberta and Saskatchewan are not going to be left at liberty to withdraw their capital; all they will be able to do is to take from year to year 5 per cent interest on the capital account.

Mr. SPROULE. Where does the hon. gentleman find authority for saying that

the other provinces could withdraw their capital account ?

Mr. SCOTT. I refer my hon. friend from Grey to his friend from North Toronto (Mr. Foster) who, when we discussed this matter, stated that one of the maritime provinces had withdrawn a portion of its capital and acted very foolishly in doing so. There is a very material diverence in these Bills from the confederation plan with regard to the land, but my opinion is that the people of the new provinces are quite content with that. I do not think I can quote any better authority on that point than Mr. Haultain, who in a formal letter to Sir Wilfrid Laurier stated he was quite willing to admit that the plan adopted in these Bills would work out more advantageously to the people of the provinces than had the actual confederation plan been followed. I hope I have said enough——

Some hon. MEMBERS. Hear, hear.

Mr. SCOTT. I hope I have said enough to convince the House.

Some hon. MEMBERS. Hear, hear.

Mr. SCOTT. My hon. friends opposite evidently think I have said enough, but they will have to hear more of this and some other questions out in the new provinces. I have no doubt that these gentlemen would be pleased indeed if these questions were never heard of again either here or anywhere in the Dominion of Canada. Have I left anything to be said ? I trust that I have been able to put the case in a way to prove that this is no light matter—that it is no immaterial limitation upon Northwest autonomy that is at issue—that a real and substantial matter of provincial rights is involved. I trust that I have left no room for doubt as to my own position. On last 3rd November, in last January, on the 3rd of May when I voted for the general principle of autonomy and for the principles bound up in the main details of the measures, I deemed myself in honour bound, and at this moment I deem myself in honour bound, to oppose any autonomy scheme which will leave the Northwest provinces for ever under these exemptions. As a whole, I believe the Bills provide not only fair but generous terms. On that account, and further because of the other vexed and complicating difficulties which have arisen and which would almost necessarily have led to a contrary vote by me being misconstrued, I have not deemed it fair nor right to oppose the Bills nor to withdraw my support from the Prime Minister on the measures. But in view of the position which I held on this question before my electors, I have open to me only one alternative. If the government and the House can see their way clear to adopt my amendment, I shall have redeemed the pledge upon which I accepted election in West Assiniboia. I therefore beg to move, seconded by Mr. Talbot, of Strathcona :

That the words after 'Now' be left out, and the following substituted : 'That the Bill (No. 69) be referred back to the Committee of the Whole House, with instruction to add to Section 23 the following sub-section :

Provided that the foregoing shall not prejudice the right of the parliament of Canada, by expropriation or otherwise, to obtain the relinquishment by the said company of the company's rights under section 16 of the contract aforesaid.

Sir WILFRID LAURIER. Mr. Speaker, I regret, as much as my hon. friend himself who has spoken with a good deal of warmth on this subject, the necessity under which the government has found itself impelled to introduce the section in the Bill to which he has taken such strong exception. My hon. friend is aware, and the House is aware also, that the party to which he and I belong did everything we could to prevent parliament from accepting that clause of the Canadian Pacific Railway contract when it was submitted to parliament in the year 1881. Unfortunately the efforts we made at that time were unavailing ; parliament thought differently. That parliament made a mistake on that occasion I do not think is susceptible now of any discussion. However, even though parliament did make a mistake on that occasion, it is a rule which has never been violated, and which my hon. friend himself admits, that, even under such a sense of mistake which would be shared by the parliament of this day, there is nothing to do but to abide loyally by what has been done ; and I understand that my hon. friend himself does not propose that parliament at this juncture should with a rough hand attempt to repudiate the engagement which was entered into in 1881. His amendment does not go that length, nor did he imply in his argument that we should attempt to give to the new provinces which we are now creating the power of taxing the property of the Canadian Pacific Railway Company, in face of the exception which was made in its favour when the contract was entered into in 1881. The only amendment which my hon. friend wants to have made is a declaration to the effect that this clause which we insert in the Bill giving effect to the exemption contained in the Act respecting the Canadian Pacific Railway Company, 'shall not prejudice the right of the parliament of Canada, by expropriation or otherwise, to obtain the relinquishment by the said company of the company's rights under section 16 of the contract as aforesaid.' The only answer I have to make to my hon. friend on this point is that the government do not think it advisable to complicate this Bill further than it is at present by the unfortunate necessity of inserting in the Bill the section which he wants thus amended. The parliament of Canada made a solemn contract with the Canadian Pacific Railway Company, and this contract cannot be done away with except in one of two

ways, that is to say, by mutual agreement between the contracting parties, that is, between the parliament of Canada and the Canadian Pacific Railway Company, or by the parliament of Canada exercising its power of eminent domain, and expropriating from the company the privilege which was given to it by parliament. I appeal to my hon. friend on this matter. I do not see that this right of the Canadian parliament would be made any stronger than it is by applying to it a declaration of this kind. It would simply amount to a declaration, and nothing else; it would have no more effect than the passing of the section in silence. It would simply complicate this Bill and put a blemish on it, and the people on whose behalf my hon. friend has spoken with great effect and warmth, would not be benefited in the least. I said on a previous occasion that in this matter we are partners with the new provinces of Alberta and Saskatchewan; we are in the same boat with them. The exemptions from which they suffer this parliament also suffers from; and our interests being common, the people of the Northwest Territories can rely that the Canadian government, in protecting its own interests, must likewise protect those of the new provinces which we are creating. I have only to repeat that in my opinion this is a blemish which has been placed, not only on the people of the new provinces, but on the people of Canada generally, and that the time has come, I am not prepared to say when, when the parliament of Canada must address itself to this question. Therefore I do not see that we can accept this amendment.

Mr. R. L. BORDEN. A two-hours' speech delivered after nearly five month's of debate on this Bill, and followed by a motion that had some effect or meaning might have been excused to the hon. gentleman who has taken up the time of the House this afternoon; but inasmuch as his amendment means absolutely nothing, does not alter to the slightest extent the effect of the clause as it is at present, one can only conclude that this is a very pretty piece of byplay and comedy on the part of the hon. gentleman. Here is the clause he proposes to amend:

> The powers hereby granted to the said province shall be exercised subject to the provisions of section 16 of the contract set forth in the schedule to chapter 1 of the statutes of 1881, being an Act respecting the Canadian Pacific Railway Company.

To which the hon. gentleman by his amendment desires to add this:

> Provided that the foregoing shall not prejudice the right of the parliament of Canada, by expropriation or otherwise, to obtain the relinquishment by the said company of the company's rights under section 16 of the contract aforesaid.

A more absolutely irrelevant proviso could not be imagined. It is utterly absurd. The words in section 23 do not in the slightest degree affect the power of the parliament of Canada to deal with that question, and there is not any lawyer in the House who would venture for one moment to stake his professional reputation upon the contrary assertion.

The parliament of Canada is giving notice to the new provinces of the contract entered into by the Crown with the Canadian Pacific Railway. It is not withdrawing anything from its own power. It is dealing with the powers of the provincial legislature. It does not purport, in any word or syllable of this section, to be taking away anything from its own power, and it will have, if this section be passed, exactly the same power to do that mentioned in this proviso as it had before the section passed. Therefore, I propose to vote against the amendment. I shall vote against it because it has not any effect or meaning, and I cannot see that it adds anything to or takes anything from the meaning of the section, as now proposed, in the slightest degree.

I do not know what assurance of the First Minister the hon. gentleman referred to this afternoon when he spoke of some assurance of the right hon. gentleman. I only heard some rather vague prophecy as to what parliament might or might not be obliged to do at some time in the remote future. So far as the Canadian Pacific Railway exemption from taxation is concerned, the question remains to be determined whether or not the legislature of the Territories will or will not under this act have full jurisdiction to deal with provincial taxation. In good faith that jurisdiction must be exercised subject to the terms of the contract, just as this parliament, if it saw fit to attempt the expropriation referred to by the hon. gentleman, would be obliged in good faith to have regard to the terms of the contract. As I gave my views in committee, it is not worth while detaining the House by repeating them. I might add that one of the justices of the Supreme Court of Canada, in dealing with this question under exactly similar conditions, said this:

> I think Manitoba was granted and received these lands with this special exemption attached and has not attempted to repeal it, if, as was argued, it could repeal this provision, and, in my view, the later taxing statutes of Manitoba do not purport to repeal this provision.

He leaves undecided the question whether Manitoba could repeal that provision or deal with this matter, as far as provincial taxation is concerned, in exactly the same way that the parliament of Canada can deal with it so far as Dominion taxation is concerned.

Furthermore, I pointed out to this House on a previous occasion that Mani-

toba has asserted the right to tax the earnings of the Canadian Pacific Railway, and has collected the sum of $50,000 or thereabouts during the past year under that head. Manitoba exercised that right, because section 16 of the Canadian Pacific Railway contract does not exempt its earnings from taxation. That section is as follows :

> The Canadian Pacific Railway and all stations and station grounds, workshops, buildings, yards and other property, rolling stock and appurtenances required and used for the construction and working thereof, and the capital stock of the company, shall be for ever free from taxation by the Dominion, or by any province hereafter to be established, or by any municipal corporation therein ; and the lands of the company, in the Northwest Territories, until they are either sold or occupied, shall be free from such taxation for twenty years after the grant thereof from the Crown.

There is no exemption therein of the earnings.

Mr. SCOTT. In very much the larger part of Manitoba, there is no exemption at all. It might be that the company had not considered that what the Manitoba government has done in relation to taxes on earnings covered the small exempted strip.

Mr. R. L. BORDEN. I have read carefully the terms of the Manitoba statute. They are general. They do not deal with the Canadian Pacific Railway alone but with all railway companies, and it is under that general provision that the tax to which I have alluded has been collected. All the railway companies, I believe, have protested, as they always do under the circumstances; but neither the Canadian Pacific Railway nor any other company has seen fit to test the validity of the tax imposed. For those reasons I shall vote against the amendment of the hon. member. I cannot see that it adds to or takes from the meaning of the section as now proposed in the slightest degree.

Mr. GALLIHER. I dealt with this question for a short time about a month or two ago and propose to say but very few words on it at present. I do not think my hon. friend from West Assiniboia goes far enough or I would support his motion. In my opinion, section 23 should not be enacted at all. If the parliament of Canada had full power to enter into the contract it did with the Canadian Pacific Railway in 1881, there can be no necessity for our continuing the exemption therein provided by any new enactment now. If it was intra vires of the government at that time, it holds good now, even after the new provinces are created. But if it was ultra vires of the government to continue that exemption beyond the time when the Territories became provinces, we should not do so by an enactment now. Either this section is for the purpose of securing such a defect as may have existed by reason of it not having been within the power of the Dominion parliament to continue the exemption beyond the time when the Territories became provinces, or there is no need for it. If this section were left entirely out of the Bill, we would not be in any way ignoring a contract that was legally made by any preceeding government. If that contract were not legally made, we should not be called upon to make it good by this enactment ; and if my hon. friend had moved for the expunging of this section, I would have supported him.

Amendment (Mr. Scott) negatived.

Mr. R. L. BORDEN. This Bill, which is now under consideration for its third reading, has been so elaborately discussed, both on the second reading and in committee, that I propose to occupy the time of the House but a few minutes in moving an amendment to refer the Bill back to the Committee of the Whole House.

So far as the main features of the Bill are concerned, those to which I am particularly opposed are pretty well known. I will briefly enumerate them and content myself with just summing up a few ideas which have been elaborated on more than one occasion during the discussion of the Bill.

I object to the policy of the government as far as the lands are concerned. In my opinion, as I have expressed it on a great many occasions during the past three years, the true policy for the government to adopt in regard to the lands in the Northwest Territories would have been to entrust the administration and control of these lands to the people and the legislatures of the new provinces, and not to retain that control and administration at Ottawa. The government, by adopting that view, would have followed the analogy of the British North America Act, section 109 of which provides that each province shall retain its lands and shall control and administer them. In the next place, it would have followed the British practice which has prevailed as between the government of Great Britain and the dependencies of the empire during the past sixty or seventy years. Every argument which has been advanced for retaining the control and administration of these lands in the central government would have availed equally in favour of retaining the control and administration of the lands of this country in the imperial government at London. There is no doubt about that. The British government attempted to enforce that principle. They did enforce it for a time, with results so absolutely unsatisfactory to themselves and to the people of the various dependencies of the empire that it was found necessary to make an absolute change. Further than that, the policy of the government in this regard is absolutely opposed, as I believe to the wishes of the people of the Northwest as expressed by the legislature in the Bill

presented by Mr. Haultain, which had been unanimously adopted by the legislature of the Northwest Territories. It is also opposed to many expressions in the public press of the west during the time of this debate. And it is not unwise at this moment to recall the circumstances that, with respect to the boundary, with respect to many details that have been dealt with by this Bill, the wishes of the Northwest have been put forward as the true test. But when we come to the question of administering and controlling the lands we have departed from any consideration of the wishes of the people of the new provinces, and have decided to withhold the control and retain the administration of these lands.

Another argument in favour of entrusting these lands to the people is that the lands can be better administered and controlled in the province than at Ottawa. They can be better administered and controlled by officers of the provincial government in touch with the people and comparatively near at hand than by the officers of the Dominion government. What reason is there, as I have said before, why a citizen of Ontario should have the right and privilege to deal with the minerals and public lands of his own province at Toronto, while the citizen of the Northwest must be obliged, for the same purpose, to write or send to the city of Ottawa ? I am not going into an extended argument on this subject. The matter has been dealt with in detail by my hon. friend from Calgary (Mr. M. S. McCarthy) and my hon. friend from Qu'Appelle (Mr. Lake), as well as by other hon. gentlemen ; and for me to indulge in an elaborate argument at this stage of the discussion would be weariness to the House as well as to myself.

The arguments of the government on this subject are threefold. The Prime Minister (Sir Wilfrid Laurier) bases his main contention on the necessity of controlling the lands that they may be used as a means of promoting immigration. He says there must be free homestead entries, and therefore there must be control of the lands at Ottawa. This consideration seems entitled to no great weight. I dealt with it on a previous occasion. Another hon. gentleman seemed to be under the impression that there would be less corruption if the administration of the lands were in the hands of the central government than if they were administered by the provinces. The Prime Minister adduces on this subject the example of the United States, where the federal government has retained the control of the public lands —although he took good care not to follow the United States with respect to certain other features of the Bill to which public attention has been called. The example of the United States has not been a happy one, if we test this question by the possibility of corruption. Those who have investigated the political affairs of the United States, know that some of the greatest scandals which have occurred in that country have been in connection with the public lands. The additional reasons which influenced the administration are those which they do not openly state—the desire for preserving patronage, for retaining power over the electorate of that country. In respect of these matters, no doubt, there were influences which were exercised upon the administration. But looking at the matter from the standpoint solely of the public interset, I venture to say that the policy should have been to hand over the lands to the administration and control of the provincial executives and provincial legislatures.

The next provision of the Bill to which I have specially referred is that which deals with the division of the province for the purpose of the election of a provincial legislature. Now, I am not going over a twice-told tale. I shall not review the provisions of clause 12 of the Bill and of the schedule which forms part of that clause. These matters have been discussed very elaborately in the committee of the whole House. But I will just point out one object lesson in this distribution which seems to me to afford a guide to the principle, or lack of principle, which has guided the administration and its friends in framing clause 12. The population of the province of Alberta is estimated by the government at 250,000. The number of members in the new legislature is to be twenty-five. Two constituencies are to be established in the northern part of the province in communities which have not, up to the present time, been given any representation either in the parliament of Canada or in the provincial legislature. Hon. gentlemen on the other side are now extremely solicitous about the persons who inhabit these portions of the province. They are extremely solicitous that those people should be represented in parliament. But up to the present time I have not heard a murmur of protest, either in this parliament or in the territorial assembly, on account of their lack of representation in parliament or in the territorial assembly. We have certain sources of information which have been pointed out by the government as those which guided them in making this distribution. One source of information is the census of 1901. According to that census the electoral division of Peace River contained 92 whites and 677 half-breeds, or a total population of 769 among whom electors might be found. The constituency of Athabaska, according to the census of 1901, contained 117 white persons and 824 half-breeds, or a total population of 941 among whom electors might be found. In addition to this, the Peace River district contained at that time 955 Indians and Athabaska contained 735 Indians. There is one post office in the entire territory comprised in the two ridings, and the income from that one post office is $90 per annum. You will

therefore realize the extent and importance of the population to which has been given a representation of two members in the new provincial assembly.

Well, we need not perhaps stop at that; it is not fair perhaps to stop at that, because we have certain further information derived from my hon. friend the Minister of the Interior. Some one told some persons who told the Minister of the Interior that there is a population of 5,000 souls in these two ridings exclusive of Indians—or perhaps it may be that some one told my hon. friend that directly. I think that was the way he put it to the House—some person, at some indefinite time, at some unknown place, the person being also unnamed and unknown to this House, has informed the Minister of the Interior that these two combined electoral divisions contain at the present time 5,000 persons exclusive of Indians. Well, I venture to think that if you look at the other sources of information upon which reliance has been placed by the government with respect to other portions of the constituency, we might discount that statement a great deal. For my part I should be extremely surprised if it could be proved by any evidence worth the name that there are more than 2,500 persons at the present time in those two electoral divisions, not including Indians. But let us take the statement of the Minister of the Interior; let us take his statement, which it was not even worth while to put in writing, of which it was not worth while to give any details; let us assume that there are in these two electoral divisions at the present time 5,000 people outside of Indians, and what have you? You have 245,000 people in the new province of Alberta to whom is allotted a representation of 23 members in the new legislature, and you have a supposed 5,000 people in the northern portion of that constituency to whom two representatives are allotted. That is to say, to one-fiftieth of the assumed population of the province of Alberta a representation of two is given, and to all the rest, to the other forty-nine-fiftieths of that population, a representation of 23 is given. Now, there can be no excuse for that; there can be no justification for it; there can be no apology for it. I do not know the motives which influenced the Minister of the Interior and the Prime Minister in forcing this upon the House. We can only guess at them. But it seems to be a transaction which is worthy of being characterized in the strongest possible terms that parliamentary usage will permit. It seems to me to be indecent and indefensible that 5,000 persons in the northern part of that constituency should be given a representation of two members, while to 245,000 persons 23 members are allotted, and that this should be done by hon. gentlemen in this House who stand up and state that they are solely desirous of distributing the representation of that province according to the standards of fair-play, according to equality of population and other similar considerations. It is perhaps inadvisable to express our opinion as to why this is done, why a population hitherto absolutely unrepresented in the provincial legislature should be given four times the voice in the new province that any similar number of persons in any other part of the province receive under the terms of this distribution.

Another provision to which I desire to call attention for a few moments is that contained in section 16. This has been discussed very fully. I will sum up what I have to say with regard to that in a very few words. The argument has been made not only by private members on the other side of the House, but by ministers of the Crown as well, not, I think, by the right hon. gentleman, but by some of his colleagues, that an obligation is imposed upon parliament to pass this legislation because of a compact which was made in 1870 at the time the Territories came into the confederation. That argument was disposed of by the right hon. gentleman the other evening, and it was disposed of by my hon. friend the Minister of Justice on the same evening. If there was any compact such as that which has been relied upon, it extended not only to separate schools in the Northwest Territories, but to the use of the French language. A disclaimer was made by the Solicitor General, concurred in by the Prime Minister, both of whom declared that no such compact existed under anything that took place in 1870; therefore, so far as that is concerned we come down to what the Minister of Justice quoting from the judgment of a court, calls a parliamentary compact, and we find the obligation to enact this legislation, if we find it anywhere, in the statute of 1875. The Prime Minister and his colleagues have taken away from themselves that argument; they have taken it away deliberately, with their eyes open, in answer to the motions of my hon. friend from Labelle (Mr. Bourassa) and my hon. friend from Beauharnois (Mr. Bergeron), because they say that there is no compact by reason of the Act of 1877, and I challenge any distinction between the Act of 1877 and the Act of 1875 in that regard. Therefore, I am free to state upon the authority of the Prime Minister himself, upon the authority of his Minister of Justice and of his Solicitor General, upon the authority of every member of the government who combatted this motion, that there was no compact contained in the Act of 1875, because otherwise the right hon. gentleman and his colleagues would have felt themselves obliged to accede to the motions which they voted down. Therefore, we come down after all to the question of constitutional power, of constitutional right, and as to whether it is sound policy in this regard to limit the rights of the new provinces. I do not admit that there is any constitutional power; I deny that there is any constitutional right, and I deny further

that it is sound policy to limit in this respect the rights of the new provinces. I say that so far as the distribution of the legislative power between parliament and the legislatures of the new provinces is concerned we should content ourselves with adopting that code which is contained in sections 91, 92, 93 and the two following sections of the British North America Act. These constitute the code of distribution of legislative power between the parliament of Canada and the legislatures of all the provinces, including those provinces we are now creating, and I say it is wise for us, from all standpoints, to abide by the constitution in that regard.

I pointed that out a little more in detail the other evening than I shall do at the present time. I pointed out that in the interest of the minority in this country as well as in the interest of the majority, it is right and wise that we should abide by the constitution, because, that constitution, if it is invaded to-day for one class, may be invaded to-morrow for another class. I deny that there is any intolerance in asking that we should abide by the compact and the constitution which were deliberately adopted in 1867. Any argument as to tolerance is an argument which ought to be addressed to the people and to the legislatures of the new provinces. I think that all of us on this side of the House may at the same time treat with some disdain the arguments of those who throw the taunt of intolerance in our teeth and at the same time turn to their friends and colleagues and say: We may grant this after all to the minority because it is absolutely useless to them; these are not separate schools; the privilege granted is absolutely worthless and in a few years the name of separate schools will disappear from the Northwest. That is a very high exemplification of tolerance! If it is so regarded by some hon. gentlemen opposite, I do not so regard it. If there was any compact, if there was any agreement, why grant separate schools are to be of no value at all to those who demand them? It seems to me that a different policy should have been pursued.

Now there is this one thing more. I do not think enough has been said in this House in regard to a certain motion which the hon. member for Saskatchewan (Mr. Lamont) moved the other evening. Perhaps some members of this House and a great many people in this country do not thoroughly realize what the import and effect of the amendment are. My hon. friend from Beauharnois (Mr. Bergeron) and my hon. friend from Labelle (Mr. Bourassa) proposed certain motions when this Bill was in committee. I will not weary the House perhaps if I state the reasons for these motions, as I understand them. The amended clause 16 of this Bill provides that:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901.

The Protestant or Roman Catholic minority in any school section in the Northwest Territories, if they saw fit to establish separate schools, could elect their own school trustees, and if they did so then the powers of these trustees in respect to religious instruction would be controlled by section 137 of chapter 29 of the ordinances which is as follows:

No religious instruction except as hereinafter provided shall be permitted in the school of any district from the opening of such school until one-half hour previous to its closing in the afternoon, after which time any such instruction permitted or desired by the board may be given.

Now, inasmuch as the Catholic minority or the Protestant minority could establish separate schools and could elect their own trustees, they would, in respect to such separate schools, control the religious instruction. But in respect of schools which were not within the designation of separate schools, the legislature of the new province was not in any way controlled by the provisions of section 16. I am trying to state this proposition in as simple and distinct terms as I possibly can. Inasmuch as these public schools—I may call them that to distinguish them from separate schools—were not within the designation of separate schools, contained in clause 16 of this Bill, the provisions of section 16, to which I have just referred, would not prevent the legislature of the new province from interfering with the power of the trustees or from vesting that control over religious instruction in the Commissioner of Education, or in the council of public instruction, or in any other body which it may designate at any time in the future. That was the position and my hon. friend from Labelle, in the first instance, and my hon. friend from Beauharnois afterwards proposed motions in Committee of the Whole House, which in their opinion, guarded the rights of the Catholic minority when that Catholic minority happened to be a majority in any particular school district. These motions were voted down. They were voted down without very much discussion by the government and without very much reason being given by any member of the government. They were regarded as unnecessary or inexpedient—I do not know which—perhaps both; at all events, they were very summarily disposed of and the matter was supposed to end there. But, it did not end there. Then came a very pretty little piece of by-play. That which had been proposed by my hon. friend from Labelle and by my hon. friend from Beauharnois and something more to which I will call attention was proposed by the hon. member for Sas-

katchewan evidently by reason of an understanding between himself and the members of the administration. What was proposed by the hon. member for Saskatchewan was this: He proposed to add to clause 16 as it had been amended these words:

Or with respect to religious instruction in any public or separate school as provided for in said ordinances.

So that the section as it now stands before us to receive the sanction of the House upon the third reading is as follows:

Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901, or with respect to religious instruction in any public or separate school as provided for in the said ordinances.

Now, I regard those words which I have just read and which are embodied in the amendment of the hon. member for Saskatchewan as an unnecessary and unwarranted attack upon the legislative power of the new province. They embody what my hon. friend from Labelle and my hon. friend for Beauharnois had in mind but they embody something more. They embody an absolute restriction of the powers of the provincial legislature at all times in the future in regard to the control of religious instruction in the public schools. There can be no doubt about that. The words are very distinct and very explicit. If you omit the immaterial words you have this language:

Nothing in any such law shall prejudicially affect any right or privilege with respect to religious instruction in any public or separate school as provided for in said ordinances.

It might be proper if the policy of the government were one in which we all agreed to go as far as my hon. friend from Labelle and my hon. friend from Beauharnois proposed to go, but it is absolutely unnecessary to go beyond that and to limit and restrict the powers of the legislatures of the new provinces in respect to religious instruction in all public schools. What is the provision relied upon? I have already read it, but I will read it again:

No religious instruction except as hereinafter provided shall be permitted in the school until one-half hour previous to its closing in the afternoon, after which time any such instruction permited or desired by the board may be given.

Whatever right or privilege is embodied in that provision, whatever power is vested in the trustees, under that provision, so as to create a right or privilege, must remain at all times in the future as part of the organic law of the new provinces. That is to say, if the legislature of the new province should for any special reason in any district desire to divest the tustees of that power and to vest it in the commissioner of education or the council of public instruction or any other body, it would find itself unable to do so. This is a specific and definite provision 'that no right or privilege with respect to religious instruction in any public or separate school' shall be prejudicially affected. When this section first came down I called attention to this. The Prime Minister differed from me on the construction of the section. I was not able to precisely gather exactly what the view of the administration is with respect to the clause, but I am giving to the House my view as to what the difficulties would be. If the government have any different opinion it should be expressed in this House at the earliest possible moment in such distinct, definite and specific terms as will leave no room for misapprehension and misunderstanding. In view of the provisions contained in section 16; in view of its restrictions on the legislative freedom of the new provinces, once more I desire to test the opinion of the House upon that section, and I therefore move in amendment to the main motion:

That all the words after 'now' to the end of the question be left out, and that the following words be inserted instead thereof:

Recommitted to a committee of the whole House with an instruction that they have power to strike out section 16 of the Bill and to substitute the following section therefor:

16. The provisions of section 93 of the British North America Act, 1867, shall apply to the said province in so far as the same are applicable under the terms thereof.

I make the motion now as I made it in committee for the reason that I believe it is wisest to adhere to the terms of the constitution. It is wisest, because the observance of the constitution is a protection to all of us; wisest, because the provisions of the constitution will leave these matters to be dealt with by the legislature of the new province; wisest, because that will in the end tend to better relations among the people of all Canada; wisest, because it will confine within the restricted provincial area differences and difficulties of an essentially local character. It will leave the wider area of Dominion politics free from questions which concern only a particular province, a particular district or a particular territory. All of us who have had experience of the far reaching and harmful effect of such differences when they overpass provincial bounds by such differences; all of us who have strong opinions on the desirability of not lighting fires which are so easily spread; we all believe that in the end it is better to leave such matters to be dealt with within the restricted area which is most directly concerned. The motion which I propose will have that result. It is a result that is not likely to be fraught with any injustice to the minority. That feeling of tolerance of

which mention has been made so often in this House is just as strong in the people of the Northwest of Canada as it is in the people of any province of Canada. The people of Nova Scotia, New Brunswick and Prince Edward Island have been cited as examples of the good fellowship which exists in the maritime provinces between people of different races and different religious belief. There is no reason for apprehension that any different result will obtain in the Northwest of Canada if these matters are restricted to the provincial area and if the provincial legislature is left to deal with these questions. The people of the west are not less broad, they are not more narrow than the people of eastern Canada, than the people of Nova Scotia, of New Brunswick and of Prince Edward Island who, even without the sanction of legislative enactment, have been broad enough to grant rights which are appreciated by the minority. For what reason are we to conjecture that the people in the Northwest of Canada would exercise the legislative rights conferred upon them in any less reasonable or fair manner? I hope that the government, even at this late hour, may accept this motion to leave the constitution untouched, and to let the new provinces be governed by the exact provisions of section 93 of the British North America Act, unimpaired and unaltered.

Hon. CHARLES FITZPATRICK (Minister of Justice). I am absolutely certain that I give expression to the view, not only of every member of this government, but of every member of this House who is supporting the government on this legislation, when I say that it has been proposed with only one desire and that desire is to respect the true principles of the constitution, not only in its spirit but in its letter. So far as we are concerned there is no desire to antagonize any element of the community, any more than there is a desire to single out any class in the community for special favours. We have, however, to bear in mind that there are obligations on this government which the government cannot refuse to accept the responsibility of. It would be very poor statesmanship, it would be a very paltry thing, if, by simply shutting our eyes to the duty cast upon us we would attempt to get rid of it. I shall not detain the House at any length; I shall merely deal with the question of the land and clause 16, and leave the question of the distribution of seats to the Minister of the Interior and other hon. gentlemen. My hon. friend (Mr. R. L. Borden) has said that with respect to the land we are departing from the principle laid down by the British North America Act. I take direct issue with my hon. friend on that, and I submit to the House that there is absolutely no analogy between the case we now have in hand and the case of the provinces as they came into confederation in 1867 and after. These provinces were separate political entities in existence when they decided to enter confederation. At the time they came into confederation, these separate political entities had vested in them their public lands; all their public properties were the property of these federated provinces; and when in the British North America Act we proceed to deal with the question of lands and properties, what do we do? We re-vest in the provinces those lands a part of which have been taken by this Dominion. That is what we did at confederation. Let me draw the attention of the House to sections 108 and 109 of the British North America Act, which deal with this question. Section 108 says:

> The public works and property of each province enumerated in the third schedule to this Act shall be the property of Canada.

We take from these provinces, as they came into confederation, the public works and property therein enumerated. Then, section 109 goes on to say:

> All lands, mines, minerals and royalties belonging to the several provinces of Canada, Nova Scotia and New Brunswick at the union, and all sums then due or payable for such lands, mines, minerals or royalties, shall belong to the several provinces of Ontario, Quebec, Nova Scotia and New Brunswick in which the same are situate or arise, subject to any trusts existing in respect thereof, and to any interest other than that of the province in the same.

That is, simply a revesting, in so far as a revesting is necessary of those lands which are their property, or which, by the terms of this section, are declared to be their property. What are the facts in regard to the public lands in the Territories? The facts are that in 1870 they were almost entirely the property of the Hudson Bay Company; and what occurred? The Dominion of Canada, acting in concert with the imperial authorities, contracted to pay to the Hudson Bay Company £300,000 sterling for the purpose of acquiring these properties, they to become the property of the Dominion; and can any man to-day dispute our title to those properties? Now, where is the analogy between the case of a province which has its property vested in the province, coming into confederation and retaining control of that property except the part which it gives up to the Dominion of Canada, and the property of the Northwest Territories, which to-day is the property of the people of the Dominion of Canada? How can you compare the two? How can you draw any argument from the British North America Act to make it applicable to the case in hand? That is not all, Mr. Speaker. My hon. friend says we ought to observe the constitution. The constitution of this country is not only, strictly speaking, the terms of the British North America Act, but is, as I conceive it, the written constitution together with that

intangible constitution which has grown up by practice and usage. We have a precedent for what we are doing to-day. How were the public lands in Manitoba dealt with ?—which public lands occupied, quoad the Dominion of Canada, absolutely the same position which the public lands of the Territories occupy to-day, except that in the interval we have spent enormous sums of money to develop that country, in connection with immigration, irrigation, and other matters. How did we deal with the case of Manitoba ? We dealt with it absolutely in the way in which we are dealing with the Territories. Were we to do otherwise and Manitoba were to come to us, are we to say to her : We have given these lands to the new provinces of Alberta and Saskatchewan, but so far as you are concerned lands occupying the same position are not to be dealt with in the same way ? Why should we distinguish between the two ? But, Mr. Speaker, we have more than that. This question has not been raised here for the first time. It was the subject of much consideration by the government in power in 1884, and a report to Council was made by gentlemen, members of the government, who had been appointed to consider the whole of these questions, and chiefly the question that was then raised, as to the right of the province of Manitoba to the control, management and sale of the public lands within its limits—the same question that is now being considered. How was that question dealt with by the report of Council of May 20, 1884 ? I have made a few extracts from that report, which I will read :

> The lands of Manitoba hold a very different position in relation to the Dominion government, from the lands of the other provinces. Shortly after the union of the old provinces, the government formed from that union purchased at a large price in cash, all the rights, titles and interests of the Hudson Bay Company in and to the territory out of which the province of Manitoba has been formed, it incurred further a very large expenditure to obtain and hold this territory in peaceable possession, and at a still further cost which is continuous and perpetual, is extinguishing Indian titles and maintaining the Indians, so that the Dominion government has a very large pecuniary interest in the soil which does not exist in respect to any other of the confederated provinces.

Is there a reason advanced in support of the position taken by the government at that time which is not applicable to the conditions existing in the Territories to-day ? But that is not all. My hon. friend thought there was not much in the argument with respect to immigration ; but let me point out to him what the views of the government of 1884 were on that point. The report says :

> Parliament pledged its faith to the world that a large portion of those lands should be set apart for free homesteads to all coming settlers, and another portion to be held in trust for the education of their children. No transfer could therefore be made without exacting from the province the most ample securities that this pledged policy shall be maintained. Hence in so far as the free lands extend there would be no monetary advantage to the province whilst a transfer would most assuredly seriously embarrass all the costly immigration operations which the Dominion government is making and mainly in behalf of Manitoba and the Territories.
>
> The great attraction which the Dominion government now offers, the impressive fact to the mind of the man contemplating emigration, is that a well known and recognized government holds unfettered in its own hands, which it offers free, and that that government has its agencies and organization for directing, receiving, transporting and placing the immigragrant upon the homestead which he may select.

These are the reasons which were given then, and these are the reasons which apply under existing conditions to the lands in the Northwest Territories.

My hon. friend dealt afterwards with section 16, the school clause. I shall not go over the position I have already taken with respect to that section or the arguments which I have already advanced. Briefly, I think I may put it in this way. You have to provide by this constitutional Act for the distribution of a legislative power as between the Dominion and the province. Sections 91, 92 and 93 of the British North America Act must be made applicable, section 91 being the section which is applicable to the Dominion, section 92 the one applicable to the province, and section 93, the one applicable to both. Neither the province nor the Dominion can deal exclusively with the subject mentioned in section 93. The Dominion can deal exclusively with the subjects mentioned in section 91, and the province can deal exclusively with the subjects mentioned in section 92.

But when we come to deal with this question of education, we find by section 93 that it is a subject over which both the Dominion and the provinces exercise legislative jurisdiction. Section 93 provides for this condition of things, that if a school system has grown up in a province under which any class in that particular province has acquired a right or a privilege, then that right or privilege is guaranteed that particular class for all time to come. That is the restriction placed upon the powers of a province to deal with the subject of education. It can only deal with that subject under the restriction that all the rights and privileges therefore vested in any class in that province cannot be interfered with. There can be no doubt on that point because it has been irrevocably settled as the result of two judicial decisions. If these Territories were a province now in existence, the school system there existing would be of necessity perpetuated, and whatever rights and privileges are conferred on the minority under that school system would be guaran-

teed them for all time. My hon. friend says, however, that these Territories are not provinces and conseqently this section does not in terms apply to the new provinces. Conceivably that is true. There is a doubt in my mind as to whether or not these Territories, not being provinces, come within the wording of section 93 ; and in the technical meaning of the term, the minority might not have those rights and privileges which they enjoy under the School Ordinance. That is the letter of the law, but what is the spirit ?

Mr. SCOTT. Was that point ever raised in the Manitoba case ? Manitoba was not a province either.

Mr. FITZPATRICK. It could not be raised in the Manitoba case because in that case there was a special section which provides that the minority shall have not only the rights and privileges which exist by law but also those which exist by practice.

Mr. R. L. BORDEN. Manitoba became a province at the moment it entered confederation.

Mr. FITZPATRICK. I am charging no narrowness or fanaticism to my hon. friend the leader of the opposition. I believe the view he has given to be his conception of the spirit of the British North America Act, and that he is seeking to apply that Act, but I put this question to him ? Have we not at present in the Territories conditions which are practically analogous to those which exist in a province ? At the time the Territories came in, did we not petition the home authorities to give us the power to legislate with respect to them ? And did we not, at the same time, give the undertaking that we would give them institutions similar to those which existed in the provinces ?

Mr. R. L. BORDEN. If we had power, under the Act of 1871, to absolutely disregard section 93 of the British North America Act, then of course there is no further question. We cannot make a new section 93. If, on the other hand, we are bound to observe section 93, it does not seem to me that we can increase our power by passing any Act restricting the powers of a territorial legislature, and then, the following year, when creating a province, say : there you have restrictions operating upon the territorial legislature and the provincial legislature must also be governed thereby.

Mr. FITZPATRICK. My answer is cadit questio. Proceeding on the assumption that we are dealing with these Territories, under the Act of 1871, as Manitoba was dealt with and British Columbia and Prince Edward Island and every province brought into the Dominion since confederation, we are applying to these new provinces the same principle we applied to those provinces. If these Territories were coming in as provinces, created previous to this time, there would be no question as to the application of section 93, and all the rights and privileges guaranteed the minority under existing legislation would be continued ; but because they do not come within the word 'province' my hon. friend says : your door is barred and section 93 of the British North America Act does not apply. My answer is that when these Territories were brought into confederation, they were brought in under a compact entered into between the people of Canada and the imperial authorities. We find in the petition to the imperial authorities the following language :

> That the welfare of the sparse and scattered population of British subjects of European origin, who inhabit these remote and unorganized territories, would be materially enhanced by the formation therein of political institutions bearing analogy, as far as the circumstances will admit, to those that exist in the several provinces of the Dominion.

That was the allegation of our petition. We asked for legislative control over these territories on conditions that we would give them institutions similar in principle to those existing in the provinces. That prayer was granted. In the Order in Council it was provided :

> It is hereby ordered and declared by her Majesty, by and with the advice of the Privy Council, in pursuance and exercise of the powers vested in her Majesty by the said Acts of parliament, that from and after the 15th day of July, 1870, the said Northwest Territories shall be admitted into and become part of the Dominion of Canada upon the terms and conditions set forth in the first hereinbefore recited address.

The terms and conditions were that we would give these Territories political institutions bearing analogy, as far as the circumstances would admit, to those existing in the provinces. That was in 1870 or 1871. What then did we proceed to do ? In 1875 we gave these Territories a constitution in accordance with the solemn compact entered into with the imperial authorities. In that constitution what did we provide ? We provided for separate schools, or rather we provided, under section 11 of the Act of 1875, for a system of education. That is the letter of our constitution. At the time that constitution was given these Territories, in the execution of our solemn undertaking towards the imperial authorities, the man who was responsible for section 11 of the Act of 1875 stood up in this House and gave expression to the hope that by that Act we had settled for all time this vexed question of education in so far as these Territories were concerned. I need not repeat his words. Mr. Blake then said to the people of Canada : We are taking out of provincial politics and out of municipal control this vexed question of education and are settling it for all time in so far as these Territories are concerned. Those great men who then sat in parliament, those men who had been

framers of the Act of confederation, who had started Canada on its triumphant wave,—those men declared, without a dissentient voice, in adopting this measure: yes, we are settling the question for ever; and those who shall hereafter go into the Territories to establish there homes for themselves and their children will know the conditions under which they take possession of the land. They will know that their children will be educated under the system we are creating to-day, which provides for a separate school system.

Mr. SPROULE. With the hon. minister's permission, I would like to ask him a question. Is he strictly keeping faith with those to whom promises were made prior to confederation that they would have institutions similar to those of other provinces? Did not the other provinces have freedom of choice in their educational system?

Mr. FITZPATRICK. Absolutely none. The other provinces have no choice where rights have been guaranteed.

Mr. SPROULE. Never had?

Mr. FITZPATRICK. Never had. A province coming into confederation with a separate school system is bound to maintain that system. And if after coming into confederation they establish a school system under which rights and privileges accrue, they are absolutely precluded from interfering with them.

Mr. SPROULE. Do not they exercise the same rights——

Mr. FITZPATRICK. I fear I am wandering from the point to which I was addressing myself. Without being offensive to my hon. friend (Mr. Sproule) I will claim my right to proceed. I feel that he cannot convince me, and I fear that I cannot convince him. Now, that system was given to this country at that time, and at that time those who were opposed to the principle of separate schools so far as the Northwest Territories are concerned, through Hon. George Brown, voiced this sentiment: You have passed this legislation; you have settled the question for all time; it has passed out of the domain of Dominion controversy. I gave you the views of those who promoted this legislation and were favourable to it. Here I give you also the opinion concerning it and the construction put upon by the man who most bitterly opposed it. So there, friend and foe alike, joined to say that this question was settled for ever. And, as I have said, it passed beyond our domain. Subsequently, in 1891, an attempt was made to settle this question, otherwise. That is when the Act was being consolidated, if I remember rightly, and at that time the attention of the House was again drawn to this section 11, to this provision in the constitution we had given to this territory. We were told: You must repeal that provision, you must not consecrate that principle by your positive legislation; because if you do, the system will be continued under which rights and privileges will be acquired, which, when you come to deal with these Territories and make them into provinces, you will find in existence and you will not be able to get rid of them. Not only that, but, if I remember rightly, it was in 1880, that a statute was passed by this parliament with respect to the constitution of these Territories in which we made the provision of the British North America Act with respect to education, that is to say, section 93, expressly applicable to the Northwest Territories. Now, in the light of these facts, we are called upon to deal with these provinces. and we have to remember the pledge we gave to the imperial authorities that we would give to these Territories institutions similar in principle to our own. We have to bear in mind the fact that we have by our own Act created in the province a certain condition of things with respect to schools, that by our positive act that school system has been continued up to the present time. And, when we come to apply section 93, what do we do? The rights that have grown up in that territory under the present school system, if these rights and privileges have been brought in by reason of the legislation of the Territories, go on in spite of anything that could be done. But, because they have been created and have grown up not by reason of the Act of the territorial authority, but by reason of our Act, we are to repudiate, and say to these people: It is true, we have created that system, true we are responsible for it; true if these had been provinces and the legislation had been their work, we would not have had any right to deal with it;—but because these things have grown up under our Act, we have the right to repudiate them. That is a position this government refuses to take. So far as this government is concerned, there will be no repudiation, either with respect to the contracts entered into with the Hudson Bay Company or the implied parliamentary contract entered into with the minority of the Northwest Territories.

My hon. friend the leader of the opposition has accurately stated the conditions which exist in the Northwest Territories as the result of section 16, No. 2. The minority—and I do not want to use the word 'Roman Catholic' or the word 'Protestant,' I speak of the minority—the minority in any school district would have guaranteed to them all the rights and privileges they enjoy at the present time under chapter 29 of the ordinances. With respect to the minority in general, when they happen to form a majority in a school district, they would not have a guarantee of the continuance of these rights which they now have.

The intention of this amendment is to continue to the majority in number in a school district, where it happens to be a minority in the province, the same rights and privileges with respect to religious education that they now enjoy. That is, we are not depriving them of one iota of the benefits of the provisions of the Northwest Territories ordinances. We are giving to the minority in general, whether Roman Catholic or Protestant, when they are a majority in a school district, the same privileges that they now enjoy. Now my hon. friend says that the result of this is to impose restraints on the action of the legislature. That is true; there is a restraint upon the action of the legislature. But here is the condition we have: My hon. friend says that we are vesting this control of religious education in the hands of the trustees. My construction of the Bill —I am not dealing with it otherwise than as I construe it—is that which is placed upon it by the leader of the government (Sir Wilfrid Laurier). Secular education, for which the state pays, is under control of the statute; but religious education, which is essentially that which concerns the parents themselves, remains under the control of the parents. The trustee is the representative of the parent, for he is elected by the parent. I take all the responsibility for saying that I have no desire to see the control of religious education vested in any other person or authority than the parent. I have no desire to see it vested in the superintendent of education or any person who is under the control of the state. I wish to see it vested in the person elected as representative of the parent. That is what I think my hon. friend's amendment carries out, and that, I think, we ought to give effect to.

Mr. BOURASSA. There is a point which is not very clear and which I would like to have explained, if the minister will allow me a question. Under clause 137, the minister has just stated, the trustees would decide what kind of religious instruction would be given. It is perfectly clear so far as that is concerned. But suppose a school section in which the majority is not Protestant or Roman Catholic—say, for instance, of the Greek Orthodox church. And suppose they decided to devote the half hour for religious instruction to instruction according to that church. Then, I suppose the minority would either have to simply prevent their children from attending the school during that half hour of religious instruction or form a separate school. In that case, which would be the minority to have the right to form a separate school under section 41 ?

Mr. FITZPATRICK. I am not able to answer that question. I am not giving off-hand legal opinions to-day.

Mr. BOURASSA. But, if the hon. Minister of Justice (Mr. Fitzpatrick) will allow me, I think I put my question courteously. In case the majority is neither Protestant nor Roman Catholic, would the minority have the right to establish a separate school? That is a simple question.

Mr. FITZPATRICK. It may be a simple question, but it is a question to which I have not given consideration, and I do not want to commit myself to anything that I have not considered. The leader of the opposition also referred to the right to use the French language, and as I understood him, he said that the right to use the French language was as sacredly guaranteed to those who speak that language in the Northwest Territories, as the right to separate schools.

Mr. R. L. BORDEN. I said there seemed to be as much of a parliamentary compact in the one case as in the other, because both depended on the statute.

Mr. FITZPATRICK. I will deal with that question when we have to consider the amendment which will be moved in that connection.

Mr. STOCKTON. I was unfortunately absent from the House when the hon. member for Saskatchewan (Mr. Lamont) moved his amendment, which was adopted by the government and passed. Therefore, I wish to make one or two observations upon section 16, subsection 1, as it is affected by the amendment of the member for Saskatchewan. I do not object to the interpretation put upon section 93 by the Minister of Justice. We know that a province has an absolute right to legislate with respect to education. I ask this question: What legislative authority outside of the legislative assembly of the province of New Brunswick has a right to legislate for that province in respect to education ? No legislative authority whatever, Sir, except the assembly of the province of New Brunswick. But with the interpretation that has been put upon section 93 by the Minister of Justice, I agree. If the legislative assembly of the province of New Brunswick, to-day, or to-morrow, passed a law giving certain rights to the minority, and next year sought to withdraw those rights by which withdrawal they were prejudicially affected, then I entirely agree with the Minister of Justice that there might be an appeal to this parliament to interfere.

Mr. FITZPATRICK. That would be a case for remedial legislation.

Mr. STOCKTON. Yes.

Mr. R. L. BORDEN. And it would be subject to an appeal.

Mr. STOCKTON. It would be subject to an appeal. Under that explanation, I entirely agree with the interpretation which

the Minister of Justice has put upon section 93 of the British North America Act. Now, Mr. Speaker, I will very briefly show in what respect the Bill as now before the House is a departure from the Bill as originally presented by the Prime Minister, and as afterwards amended by him. Separate schools, under section 41 of the ordinance 29, can only be established by a minority of the ratepayers. Under the Act of 1875, section 11, the majority of the ratepayers can establish a school district and provide for education. After the school district is established then the minority can ask for and have separate schools. The question was asked the Minister of Justice by the hon. member for Labelle (Mr. Bourassa), under what circumstances could a school be established if there were neither Catholics or Protestants in the district. Now if you put a construction upon section 11 of the Act of 1875, that ratepayers mean only Catholics or Protestants, then a difficulty might arise. But under section 2 of the ordinance 29, a meaning is given to the word 'ratepayer,' such as you would expect to be given it, that is, a person who pays rates, with the limitation of a certain residence within the district before he casts his vote for the election of a trustee. Now, the First Minister provided in his Bill for the minority but not for the majority. The amendment of the member for Saskatchewan, following the amendment moved by the member for Labelle, and following to a certain extent the amendment moved by the hon. member for Beauharnois (Mr. Bergeron), sought to cure this defect, with the exception that the amendments of the member for Labelle and the member for Beauharnois were summarily voted down at the instance of the government and afterwards, when the member for Saskatchewan, under the inspiration I imagine of the First Minister, or some member of the government, moved his amendment, it was accepted by the government and adopted by the House, under the authority of the First Minister. What is the effect of that amendment? I think, Sir, that many members of this House do not fully understand the element that has been introduced into the organic constitution of the province by this amendment. At the end of subsection 1, section 16, these words are added:

> With respect to religious instruction in any public or separate school as provided in the said ordinances.

Now, under section 137 of the ordinance 29 religious instruction can be given from 3.30 p.m. to 4 o'clock, under the direction of the trustees in separate schools. But what if you apply it to all the schools? As the law now stands it can be changed, it can be amended by the provincial authorities, because the amendment does not form part of the organic law; but by introducing this amendment into the constitution you make it a fixture, you make it part of the organic law, and it puts the trustees for the time being above the educational authority of the province, it puts them above the Minister of Education, above the government of the province, and it makes them for all time supreme with respect to their action on this matter. It takes the control away from the provincial authorities, and it makes the amendment, as I have said, a part of the organic law, incapable of amendment or repeal by any authority in Canada, either in the Northwest or in this House, incapable of amendment except by an appeal to the imperial authorities. I think the Minister of Justice will agree with me that that is the effect of the amendment which was moved by the member for Saskatchewan and adopted by the government; it places the provincial authority for all time to come in a position of servitude to a law which they have not asked for, and which they do not want. But the irony of the situation is accentuated by the fact that this is an amendment, moved by the hon. member for Saskatchewan, which, at the instance of the government, puts shackles upon the freedom of action of the people of the west, an amendment moved by a gentleman from the west, who should have been solicitous to look out for the freedom and liberty of the people of the west.

House divided on amendment Mr. R. L. Borden):

YEAS:

Messieurs:

Alcorn,	Lake,
Barker,	Lalor,
Barr,	Lennox,
Bennett,	Macdonell,
Blain,	MacLaren,
Borden (Carleton),	McCarthy (Calgary),
Boyce,	Martin (Queen's, P.E.I.),
Chisholm,	Northrup,
Christie,	Ratz,
Cochrane,	Roche (Marquette),
Cockshutt,	Schaffner,
Crocket,	Sproule,
Daniel,	Staples,
Elson,	Stockton,
Gunn,	Taylor,
Haggart,	Tisdale,
Henderson,	Walsh,
Herron,	Wilmot,
Hughes (Victoria),	Wilson (Lennox & Add.),
Jackson (Elgin),	Wright (Muskoka).—41.
Kemp.	

NAYS:

Messieurs:

Adamson,	Kennedy,
Archambault,	Lachance,
Beauparlant,	Lamont,
Béland,	Lapointe,
Belcourt,	Laurier (Sir Wilfrid),
Bergeron,	Laurier (L'Assomption)
Bickerdike,	Lavergne (Drummond &
Black,	Arth.),
Borden (Sir Frederick),	Lavergne (Montmagny),

Bourassa,	Law,
Brabazon,	LeBlanc,
Brodeur,	Lemieux,
Brown,	Leonard,
Bruneau,	Macdonald,
Bureau,	Maclean (Lunenburg),
Burrows,	Macpherson,
Caldwell,	McColl,
Calvert,	McCool,
Campbell,	McIsaac,
Carney,	McKenzie (Bruce),
Carrier,	McKenzie (Cape Breton
Cash,	North),
Clarke,	McLennan,
Conmee,	Marcile (Bagot),
Copp,	Marcil (Bonaventure),
Costigan,	Martin (Wellington),
Crawford,	Mayrand,
Cyr,	Meigs,
Delisle,	Miller,
Demers,	Monk,
Derbyshire,	Morin,
Desjardins,	Oliver,
Devlin,	Parmelee,
Dubeau,	Paterson,
Dugas,	Paquet,
Emmerson,	Parent,
Ethier,	Perley,
Finlayson,	Piché,
Fisher,	Pickup,
Fitzpatrick,	Power,
Fortier,	Préfontaine,
Galliher,	Proulx,
Gauvreau,	Reid (Restigouche),
Geoffrion,	Riley,
Girard,	Ross (Rimouski),
Gladu,	Ross (Yale-Cariboo),
Grant,	Schell (Oxford),
Greenway,	Scott,
Guthrie,	Sinclair,
Hall,	Smith (Oxford),
Hughes (King's, P.E.I.),	Talbot (Bellechasse),
Hunt,	Talbot (Strathcona),
Jackson (Selkirk),	Telford,
Johnston (Cape Breton	Turgeon,
South),	Wilson (Russell),
	Wright (Renfrew).—109.

PAIRS :

Government.	Opposition.
Gordon,	Clements,
Harty,	Reid,
German,	Ganong,
Mulock,	White,
Logan,	Lefurgey,
Tobin,	McLean (York),
Sloan,	Osler,
Lanctot,	Lancaster,
Savoie,	McLean (P.E.I.),
Fielding,	Foster,
Turriff,	Ward,
Watson,	Avery,
Dyment,	Ingram,
Finlay,	Broder,
Smith (Nanaimo),	Porter,
Stewart,	Armstrong,
Zimmerman,	Bristol,
Bole,	Bland,
Sifton,	McCarthy (Simcoe),
Carvel,	Fowler,

Amendment (Mr. R. L. Borden) negatived.

Mr. TAYLOR. The hon. member for North Toronto (Mr. Foster) did not vote.

Mr. FOSTER. I am paired with the hon. member for Shelburne, the Minister of Finance. If I had voted I would have voted for the amendment.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

VANCOUVER, VICTORIA AND EASTERN RAILWAY AND NAVIGATION COMPANY.

Mr. DUNCAN ROSS moved third reading of Bill (No. 139) respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.

Mr. FOSTER. I understood that there was a question raised by the Minister of Justice with reference to the fourth clause. I do not see the minister in his place, but I believe that the objection he raised was sufficiently important to lead the First Minister to say that it would be looked into before the third reading.

Sir WILFRID LAURIER. The point raised by the Minister of Justice was that the clause with reference to the amalgamation was rather vague, declaring that certain roads are for the general advantage of Canada when they are all put together. I have not spoken to the Minister, but I have had the matter looked into for my own information, and I find that the companies here referred to are Canadian companies and the roads Canadian roads. Therefore, it is only a question of degree how far the government should permit the amalgamation and should declare these roads to be for the general advantage of Canada. If they are all amalgamated, they are for the general advantage of Canada, and if only a part of them are amalgamated, they are for the general advantage of Canada. These questions have all, I am sure, been considered by the Railway Committee, and I have always made it a rule to support the report of the Railway Committee unless there are strong reasons to the contrary.

Mr. SPROULE. I understood that provision was made for the amalgamation of some roads which are not specified.

Sir WILFRID LAURIER. They are all specified.

Mr. FOSTER. Mr. Speaker, when the Bill was before the Railway Committee I objected to the third clause and desired to have it amended, but my amendment was laid over on the suggestion of the Minister of Finance that it would be considered by the government. I, therefore, did not test the efficacy of that amendment in the committee as I otherwise would have done, and I propose now to submit it to the House. My amendment is as follows:

It is hereby provided that the Governor in Council shall grant no permission to construct any part of the proposed road south of the international boundary unless it be shown to be necessary in order to overcome engineering difficulties, nor until satisfactory guarantees are given that the line from Cloverdale to Princeton will be completed on Canadian territory within a reasonable time.

It may be suggested that a part of this amendment is covered by the amendment of Mr. Macpherson, which is as follows:

The company shall within two years from the passing of this Act, commence the construction of the western portion of its main line from a point at or near Cloverdale, and continuously prosecute construction in an easterly direction to Princeton, along the route as laid down in the original charter of the company, being chapter 75 of 60 Victoria of the statutes of British Columbia.

That, however, I do not think has any great virtue in it. There is no penalty, so far as I can see, which will be incurred provided that it is not carried out by the company, except that if the company does not carry out its work as laid down in the Act, its charter powers at a certain time will lapse unless they are again renewed. What I wanted to do was to make sure that if that road could be built on Canadian territory, it should be built on Canadian territory. I also wanted to make sure that if it had to be diverted—and there could be no reason for the diversion other than engineering difficulties—to the south of the line, that diversion should be limited and temporary, and should not include the possibility of running south of the line for a longer or a shorter distance, as the company itself might think would be best in its own interests, but that the road should come into Canadian territory again after that engineering difficulty had been overcome, and that it should be carried through to the coast, opening up and developing Canadian territory and connecting it with the cities on the coast. Now, it has been rather assiduously circulated that my opposition and the opposition of others with me in this respect was due not so much to good and patriotic reasons as to a desire to burk the construction of this road and to preserve the monopoly of the Canadian Pacific Railway. I am quite willing that any person shall form whatever idea he chooses as to my motives. That conclusion will vary, I suppose, according to the amount of charity and the like of that in the person who forms it, but I rest my case entirely upon the reasons which I give and on the policy which I think is the correct policy. I do not think any good Canadian will contravene the statement that, other things being equal, it is to the advantage of Canada that those roads which are meant for the development of Canadian raw resources and the opening up of Canadian territory should be constructed on Canadian soil. A trunk line running through that country and terminating on the Pacific coast, making a connection between those, as I hope very rich undeveloped resources in the Similkameen valley and the country adjoining, and the sea coast, and the large cities and the trading centres on the sea coast, would keep up that connection and make it quick and constant. There is no doubt that a road of that kind would promote the development of that country and inure to the best interests of Canada as a whole, better than would a system of branch or tapping lines from the United States, drawing off the undeveloped resources of our country for the purpose of working them up and developing them with the enterprise and capital and labour of another country.

It would be much better to have a trunk line along there in that way than branch lines running up from the roads in the United States, tapping our country at certain points and drawing off our resources in the way I have stated. If we do agree that that is the better plan, what is the reason why it should not be adopted? The only reason is that there are engineering difficulties and that a part of the Canadian country north of the International boundary line between certain limits, not very long as it is theoretically stated, in extent, extending some thirty of thirty-five miles, which will make it, if not next to impossible, very expensive to build the road, and which will make it a road less easily operated commercially, because of the height it has to ascend and descend again. I do not think it is anything too much to say that in the committee we were not treated to any information regarding these engineering difficulties which would be considered as adequate and satisfactory. The statement was made that there were engineering difficulties, that there would be heights running up to thousands of feet, and that the grades would have to be, if not very largely distanced out, pretty steep. But as regards engineering reports or engineering evidence, there was nothing satisfactory submitted to the committee. There were statements of lay men which may have been well enough so far as they went, but there was no testimony of engineers given. What objection then can be taken to the course that we suggest? If it be not considered well to make it a provision in the Act, at least make somebody responsible that these engineering difficulties shall be shown to exist before the line shall be allowed to diverge to the south of the international boundary. For customs and other reasons, it would be better to run north of the international boundary line. But if it is shown impossible to get a commercial line north of that, I would not take it upon myself personally to object to the divergence, provided that that diversion were limited in extent, and that as soon as the engineering difficulties were overcome, the line should go back to Canadian territory

and pursue its way there. What is the objection to that? If in the committee we were not given any satisfactory testimony at all, why should we not tell the government, which has to take its duties and responsibilities, that it must get full information on that point, and then if engineering difficulties can only be reasonably overcome by diversion to the south of the line, let the government authorize that diversion. But there is another point. It is stated—I am not going to say how true that is—that the intention is to divert the line and by that means divert the traffic of that Similkameen country to the southern roads south of the boundary and consequently on to the smelters and the American coast trading cities. That is stated. It is stated on the other hand that that is not intended. Well, one statement is as good as another. If it be best that the company should build on our own ground, either insert that provision in the Act or let the government take the onus and responsibility of seeing that within reasonable time as much of the railway as possible is built in Canadian territory. What seems to be, so far as I can gather, the opinion of British Columbia—and what seems to be a reasonable opinion—is that, first of all and as soon as possible, the road should be built from Cloverdale in towards Princeton and in towards the Similkameen valley just as far and as rapidly as possible. If any one will take the railroad map of that country, he will see that Mr. Hill's lines tap our country now at seven different points, all of these lines running pretty closely north and south. There is a line built from New Westminster up to Cloverdale. That line at Cloverdale or near that point has a connection with the southern road; and it is to make it sure that that shall not also be simply a tapping branch, but that it is the intention of the company to bring their road from Cloverdale to the heart of the Similkameen that we think some provision should be made to see that that is done.

Mr. D. ROSS. What other lines besides what are known as the Hill lines in southern British Columbia are in competition with the Canadian Pacific Railway?

Mr. FOSTER. I am not discussing the question as to the competition with the Canadian Pacific Railway at all.

Mr. D. ROSS. If you will not permit the Hill line to go into British Columbia, how are you to get another railway in competition with the Canadian Pacific Railway?

Mr. FOSTER. Again the hon. gentleman takes for granted something absolutely denied by myself. He takes for granted that I and those who think with me are opposed to Mr. Hill's lines going into that country. We are not. Let Mr. Hill build his line. Let him go right at it and build and finish and operate it, I would be glad to see the line running through there, but let there be fair guarantee that he will build his line through Canadian territory. That is all I want. It is not a question of trying to keep the ground for the Canadian Pacific Railway. Other things being equal, I would rather see the Canadian Pacific Railway build that line than any other company. I think the Canadian Pacific Railway has put a great deal of enterprise and capital and labour in opening up our new countries, in British Columbia as well as elsewhere in the west, and with less profit, for obvious reasons, in British Columbia than in most other parts of the country. If the Canadian Pacific Railway would put that line through, I would rather see them do it than the Hill line or any other from the south of the border. But if Mr. Hill asks simply for a franchise to build a road through Canadian territory, if the Canadian Pacific Railway has not yet pre-empted that territory and run its line through it, I am not raising any objection to Mr. Hill getting his franchise and building his line. He does not ask any subsidy from this country; and if he proposes to build without a subsidy through Canadian territory, it would have to be a mighty strong national reason that would cause me to raise any objection. But I do not want to see a road built which will make that country mainly tributary to the United States. I want to see a road built which will make that country do its particular work as a part of Canada. Our cities on the coast are more important to us than Seattle or Portland. Our smelting industry, which is not large now, but is bound to increase—because British Columbia is full of mineral and the country to the north is full of undeveloped minerals—is more important to us than the smelting industry of the United States.

We may not have many smelters in operation now, but they are beginning and they will grow. I would rather see our smelters do this work than United States smelters; I would rather Canadian labour should do all the work of bringing these products from the raw material of the mine to the finished article. That is why I would rather see the trunk lines that go through that country trending towards Canadian ports and traversing Canadian territory. Let me state again as emphatically as possible that I have no objection to Mr. Hill having a franchise to build the road. All I want is to make sure that he shall build the road, and that every mile that is not prevented by insurmountable engineering difficulties from being built on Canadian soil shall be built on Canadian soil, taking the products of the rich Similkameen region to our own ports and helping to build up the industries of our own country. I hope, therefore, it will not be possible for anybody to ask me why I

am opposed to Mr. Hill building the road through Canada. I am not opposed to it. I want to see the diversion of the road as short as possible south of the boundary, and I want the road between Cloverdale and Princeton built as quickly as possible. My amendment tends toward both these ends. It throws upon the government a responsibility which they ought to be willing to take—first to make certain that the road shall be diverted south of the line only when engineering difficulties cannot reasonably be overcome; I say 'reasonably' because that is only fair. and, second, that they shall make certain that the road shall be built from Cloverdale to Princeton as quickly as can be reasonably done. The government has the power, and it is responsible to parliament; and it can take such guarantees and make such provisions as may be necessary. Now, who would be hurt if this amendment is carried? Certainly not British Columbia. British Columbia wants every mile of railway possible on her own territory—she would be foolish if she did not. She also wants her coast cities connected with the interior country as quickly as it can possibly be done. Let us get out of the notion that any of us are opposed to Mr. Hill building the road. Let us have the proper provisions and the proper guarantees, such as, I contend, my amendment will provide, and we will be glad to see this work undertaken. There is nothing dogmatic about this amendment. It simply says that the government must be sure that there is valid reason for diverting the road south of the boundary even for thirty-five miles. And, in the second place, the government must make as sure as they reasonably can that this road from Cloveradale to Princeton shall be built in a reasonable time. There is a part where it will come in from south of the boundary into Canadian territory where there will be pretty heavy building. That is the least profitable part of the country for the work of development, as I understand. It is more important that the part from Cloverdale to Princeton and the part connecting the Similkameen Valley with the coast cities should be quickly built.

Sir WILFRID LAURIER. My hon. friend (Mr. Foster) has stated truly that this amendment was left over in the Railway Committee for the government to consider whether it would or would not accept the new conditions proposed. There are two conditions involved in the amendment, I will take those in turn. The first is that 'the Governor in Council shall grant no permission to construct any part of the proposed road south of the international boundary unless it be shown to be necessary in order to overcome engineering difficulties.' I do not see that there is very much difference between this drafting and that of the Bill, which provides:

Mr. FOSTER.

3. The company may,at such points on the international boundary line between the west bank of the Similkameen river and the Columbia river as the Governor in Council deems expedient for the purpose of avoiding difficulties in construction, make connections——

If there is any difference between these two, it seems to me it is very slight.

Mr. R. L. BORDEN. Does not one put a responsibility on the government that is not imposed by the other?

Sir WILFRID LAURIER. If there is a difference it seems to me it is a very minute difference.

Mr. FOSTER. The Bill says: 'difficulties of construction.' That would seem to me to be only to the points of divergence. But my amendment puts upon the government the responsibility of any divergence at all.

Sir WILFRID LAURIER. I do not see the difference between one and the other.

Mr. R. L. BORDEN. What section is the Prime Minister referring to?

Sir WILFRID LAURIER. Section 3.

Mr. R. L. BORDEN. I was speaking of another—I withdraw my remark.

Sir WILFRID LAURIER. Then the Governor General is to select the point at which the road is to cross the international boundary. That means that the boundary must be crossed somewhere. It seems to me merely refining a little more to put the provision in the form in which the hon. gentleman (Mr. Foster) puts it. Then his amendment goes on:

—nor until some satisfactory guarantees are given that the line from Cloverdale to Princeton will be completed on Canadian territory within a reasonable time.

I do not know exactly what guarantees we could have in this matter. I cannot see why instructions should be given to the Governor in Council to see that this line shall be constructed on Canadian territory. I consider that is the object of the company to build this railway upon Canadian territory—that is the purpose of their charter. It is deemed absolutely essential that this connection between the coast of British Columbia and the Kootenay, the mining portion of the province should be given in some way or other.

I would have preferred that this communication were given by the Canadian Pacific Railway Company. They were first in the field, they have shown great enterprise, great energy and have done a great deal of work. Everything in that regard that has been stated by my hon. friend is absolutely true, in my own judgment. But for some reason or other the Canadian Pacific Railway, whether they are too busy elsewhere or not, have not given the people of British Columbia that communication which, it is to my knowledge, to the knowledge of my hon.

friend also, to the knowledge of all, that the people of British Columbia have been asking for years. Now, when a company comes forward which claims that it is able to give this communication, which asks permission to do so, which apparently is able to do so, has the power to do so, has all the necessary resources; under such circumstances, I would not take it upon myself to deny this advantage to the people of British Columbia, or even to retard the consummation of what they have desired for so long a time. This communication, I consider, is not only necessary to them, but absolutely essential to their welfare and development. It is indispensable to the welfare of British Columbia that there should be communication between the cities of the coast, Vancouver and Victoria, and the mining section in the Kootenay district. They have long been waiting for it, they have now an opportunity of getting it; and I would not take it upon myself even to retard for a moment the consummation of their earnest desire. Now, I agree with my hon. friend that this railway should be built on Canadian territory. Well, it is provided by this Bill, as it has come from the Railway Committee, that the Governor in Council shall be entrusted with the power and duty of seeing that it is kept upon Canadian territory, and not allowed to go out of Canadian territory except for adequate reasons.

Mr. SAM. HUGHES. Has the Prime Minister considered the fact that this road merely runs along inside the Canadian boundary line, and when it comes to a convenient point it crosses back into American territory; and from opposite that point branch lines, which will be found to be five or six times as long as the main line in Canada, will be run up in order to tap the mining districts of British Columbia and feed American cities?

Sir WILFRID LAURIER. I do not know a single road built or projected on Canadian territory which is not tapped by the Americans. Let this railway be built on Canadian territory by all means, but this railway does not serve its purpose if it is denied access to American territory. Why, Sir, all our railways are tapped by American railways. The hon. gentleman stated a moment ago that this territory in British Columbia was already tapped at several different places by American railways. Possibly it is. But let me ask if there is any part of the Canadian frontier between the Pacific ocean and the River St. Lawrence which is not tapped at almost every mile by American railways? The necessities of the case require it. We built a road a few years ago, the Crow's Nest Pass Railway, a very useful road; but when that road was completed, one of the very first things it did was to obtain communication with the American side. The American traffic forms a valuable part of the traffic of the Crow's Nest Pass Railway, and this American connection increases the value of the business which it has developed in the mining districts. So I say: Put this road on Canadian territory by all means. But I repeat what I said a moment ago, that the powers which are vested in the Governor in Council are ample, and the Governor in Council will exercise those powers in order to keep it, if possible, on Canadian territory, and it is only allowed to be diverted when that is necessary in order to avoid great difficulties of construction. For these reasons, the government have come to the conclusion not to accept the amendment.

Mr. R. L. BORDEN. I understood the right hon. gentleman to suggest that clause 3a, proposed by my hon. friend from North Toronto (Mr. Foster), is similar in some aspects to clause 3 of the Bill. The remark I made a moment before was in view of what I understood to be another comparison, namely, that between section 7 of the Bill as it now stands and the section proposed by the member for North Toronto. But if there is, as the Prime Minister says, very little difference between section 3a, now proposed to be added by way of amendment, and section 3, why, after all, is it likely that the proposed amendment would have any greater effect in retarding the construction than section 3 as it now stands? It seems to me to impose more responsibility upon the government. But I do not quite follow that portion of the right hon. gentleman's argument which indicated that there would be greater danger of unduly retarding the road.

Sir WILFRID LAURIER. I do not know that there would be much danger if we accepted either draft. I speak under correction, but in my judgment I do not see much difference between the first part of the amendment suggested by the member for North Toronto and the present drafting. At all events, we have the Bill as it has been considered by the Railway Committee, and I always hesitate to alter in any way the drafting adopted by that committee. My hon. friend, who has experience in these matters, knows that it is always an invidious task to amend a Bill under such circumstances. You may correct an error which any one thinks he sees in it, but after this Bill has been considered by the Railway Committee, I see no reason to depart from its finding.

Mr. LENNOX. As the Prime Minister says, it is a delicate matter to amend a Bill coming from the Railway Committee. The Railway Committee has already amended this Bill, and would have amended it further had it not been, as suggested by the Minister of Finance, that it might be better to leave it until the policy of the government had been ascertained. The Minister of Finance evidently regarded it as an important matter at that time; the Minister of

Justice also regarded this Bill as probably a serious invasion of certain rights that we should protect. Therefore, I think I am not out of place in urging upon the government a little caution, a little delay perhaps, even the possibility of retarding the passage of this Bill for an hour or two, in the hope that we may arrive at a knowledge of the true condition of affairs and the way the Bill will affect the province of British Columbia. We have been told many times in this House about the supreme importance of sending different kinds of Bills to the Railway Committee for the purpose of having the facts fully ventilated and laid before the committee in a way that the House of Commons cannot easily accomplish.

This is a case that has peculiarly demanded that class of investigation. This is a case in which we have particularly needed that we should be put in possession definitely and distinctly by scientific men of certain information that will enable us to judge intelligently of whether or not the difficulties suggested by the promoters of the Bill exist. We have, as we have been told here to-night, had suggestions in the Railway Committee that there were engineering difficulties, but we have had no evidence in the Railway Committee from the promoters of the Bill of the actual existence of these engineering difficulties. It is not at all as if the matter had been overlooked. The engineer was there. There was expert testimony given. It was not expert testimony on behalf of the promoters of the Bill, but engineering testimony on the other hand that there were no insuperable or serious engineering difficulties in the way of the construction of a line in all Canadian Territory. It therefore became especially incumbent upon the promoters of the Bill, and it is, I submit, especially incumbent upon the government now to satisfy the House that these suggested engineering difficulties actually exist. The right hon. the First Minister admits that it is important, if possible, that we should have that line an all-Canadian line. That the Prime Minister is at times imbued with the desire of having an all-Canadian line was illustrated very well not very many sessions ago and I therefore felt when the committee was asked to send this matter to the House that we would have at once a declaration of policy by the government and that we would at least have the government announce that they would take upon themselves the duty in the interest of the whole country of ascertaining whether these engineering difficulties exist as a matter of fact. We know that the Canadian Pacific Railway have a charter to build, not by patches upon Canadian territory, but an all-Canadian line and that they undertake to build through and over these difficulties which are described by the Hill interests as being insurmountable.

Mr. LENNOX.

Mr. GALLIHER. They undertake to build but they do not build.

Mr. LENNOX. They undertake to build and they will build.

Mr. GALLIHER. If it suits them.

Mr. LENNOX. It has become the fashion in this House—I am glad that it is not the fashion outside the House to any great extent—to discredit the enterprise of the Canadian Pacific Railway. I am glad to find that the right hon. the Prime Minister has to-night suggested that it is not altogether deserved, but I would be better pleased, if, when we find that the Canadian Pacific Railway, having a charter, propose to build through that territory, do not ask to build into American territory, and are willing to conserve our own traffic and our own interests in British Columbia, the government would recognize it to be their duty to see to it that these two railways shall be placed upon the same basis and upon equal terms. The Canadian Pacific Railway, as the right hon. the Prime Minister has admitted to-night, had done much to develop the country, it has shown great energy and enterprise and is doing every day of the year a large amount of work in promoting Canadian interests. That being the case, is it fair to say to the Canadian Pacific Railway: You shall be compelled to build up through the mountains on all-Canadian territory, and to the American line, with seven lines leading up to the International boundary waiting for the traffic of Canada to be diverted into American channels, with seven lines waiting in the Hill interest to grasp that traffic—I am speaking not in the interest of the Americans, but in the interest of the Canadian people.

Mr. A. JOHNSTON. You have earned your money now; that will do.

Mr. LENNOX. I will ask the hon. gentleman (Mr. A. Johnston) to take that statement back. He says that I have earned my money.

Some hon. MEMBERS. Withdraw.

Mr. SPEAKER. I think the hon. gentleman (Mr. A. Johnston) must withdraw that remark.

Mr. A. JOHNSTON. If the hon. gentleman (Mr. Lennox) has taken the observation in any offensive way whatever, I assure him that it was not so intended. I simply wished to convey the idea that I thought we were perfectly satisfied. Let me assure him that I did not intend the observation in any offensive way whatever.

Mr. FOSTER. Withdraw.

Some hon. MEMBERS. Withdraw.

Mr. A. JOHNSTON. If the hon. gentleman wishes it, I withdraw very fully.

Mr. FOSTER. I suppose that was the same hon. gentleman who made the same offensive remark to me in the committee.

Mr. A. JOHNSTON. I want the hon. gentleman (Mr. Foster) to withdraw that and withdraw it instantly.

Mr. SPEAKER. Order.

Some hon. MEMBERS. Oh, oh.

Mr. A. JOHNSTON. Mr. Speaker, I rise to a point of order, I want the hon. member to withdraw that observation.

Mr. SPROULE. What is there to withdraw ?

Some hon. MEMBERS. Take it back.

Mr. A. JOHNSTON. Order.

Mr. SPEAKER. What is the point of order ?

Mr. A. JOHNSTON. The point of order is that the hon. member for North Toronto (Mr. Foster) says that I am the person——

Mr. FOSTER. No, no, he did not.

Mr. A. JOHNSTON. Yes you did.

Sir WILFRID LAURIER. He denies it.

Mr. SPEAKER. If the reference of the hon. member for North Toronto (Mr. Foster) was to the hon. member for Cape Breton (Mr. A. Johnston) it should be withdrawn.

Mr. FOSTER. Yes, but it was not. The statement I made was that I supposed that was the hon. gentleman.

Some hon. MEMBERS. Oh, oh.

Mr. FOSTER. Yes, that is what I said.

Mr. GALLIHER. You said that you believed it was.

Mr. FOSTER. I did not say I believed ; I said I supposed. It came so pat from the hon. gentleman that I supposed he had broken out before.

Mr. A. JOHNSTON. I am not quite satisfied with the statement of the hon. gentleman, and I only desire to say to him that if I had made that observation in the committee the other day, I would have been prepared to have stood behind it. I want him to withdraw the statement absolutely.

Mr. FOSTER. That is a circumstance which would lead me to deal kindly with the hon. gentleman. The gentleman who did say that, I denominated as a coward because he would not stand up and show himself openly. This hon. gentleman states that he would have been bold enough to have done it and under these circumstances, if the hon. gentleman says he did not say that, I withdraw all my remarks.

Mr. LENNOX. I regret that I cannot please both sides of the House, but I think we might conduct this business, which is certainly of very great importance, without trying to interrupt hon. members. I admit that I have not that fluency of speech and that command of argument that some hon. gentlemen on the other side of the House have, but I am convinced that I have a good sound case to argue and I am convinced that in standing up for the interests not of the people of the United States, but for those of Canada and for those of British Columbia particularly, I am discharging my duty, and whether it is pleasing to hon. gentlemen on the other side of the House or not I shall claim that privilege. Now, it has been said that nobody is interested in this Bill except the people of British Columbia. I submit that is not the position of this matter. British Columbia may be said, perhaps upon a narrow view of the case, to have been the only party interested in it, so long as it was the subject of a provincial charter, but it has since become a matter of greater magnitude than concerns merely British Columbia, because this company has come to the Dominion parliament and the Dominion parliament, not only recently, but long ago declared this to be a work in the general interest of Canada.

Perhaps on some occasions this parliament has been too quick to declare that works are for the general advantage of Canada, but as that declaration has been solemnly made by parliament in this case, we must assume it is true ; and that being so, it is the duty of this parliament to see that all necessary investigations should be made—even if there is a temporary delay—into the conditions which would prevent the construction of this railway upon all Canadian territory. Is there a gentleman in this House so ignorant of the conditions that exist to the south of the international line—even the hon. gentleman who first interrupted me—who does not know that when we allow the deviation of our smelting trade from Canada to the United States, not only do we give to the United States the profit on the labour which should accrue to Canada, but we also afford an inducement to our young Canadians to go into the United States to seek that labour which they should have at home. Having regard to the fact that two prominent members of the administration are not in sympathy with this measure, it behooves us to consider it well. The Finance Minister pledged himself to the committee that this Bill should be carefully considered by the government and their policy announced on it ; it is a significant and unfortunate fact that the Minister of Finance, who is supposed to be best versed in financial matters, is not here to-night to give the House the benefit of his judgment. I see signs which convince me that the pledge given by the Minister of Finance has not been satisfactorily redeemed ; I have evidence that the government has given this matter only very casual consideration, be-

cause the Prime Minister himself has intimated that he is not aware of what the amendment is, although it was previously placed before the House. This is a question which not only affects the province of British Columbia, but the whole of the Dominion of Canada. British Columbia is not a province in which you can build a railway wherever you please, because its topographical conformation makes that impossible.

Some hon. MEMBERS. Nine o'clock.

Mr. LENNOX. I suppose the Speaker will know when it is nine o'clock.

Mr. SPEAKER. The hour for private Bills being exhausted, the House will resume the order of business.

Mr. LENNOX. I have something more to say at another time.

PROVINCIAL GOVERNMENT IN THE NORTHWEST TERRITORIES.

House resumed debate on the motion of Sir Wilfrid Laurier for the third reading of Bill (No. 69) to establish and provide for the government of the province of Alberta.

Mr. J. G. H. BERGERON (Beauharnois). Mr. Speaker, on the motion for the third reading of this Bill I desire to propose an amendment similar to that which I have already proposed in Committee of the Whole. When I proposed this amendment in the committee the Minister of Justice criticised its wording more than the principle which it contained. I have therefore tried to meet his views by making a more perfect translation into English of this amendment, which I originally wrote in French. I have modified the wording slightly, and have added a few words at the end of paragraph D. I beg to move, seconded by Mr. Paquet :

That all the words of the amendment be struck out, and the following substituted therefor : 16. Section 93 of the British North America Act, 1867, shall apply to the said province as if at the date fixed for the coming into force of this Act, the territory included in the said province were already a province, the word union in the said section meaning the said date :

2. The legislature shall have the right to pass laws with reference to education, but it shall always provide for, (a) the existence of separate schools and their enjoyment by the minority, Protestant or Catholic, who may claim them ; (b) the effective control of said schools in matters of teaching by the said minority ; (c) the full liberty for the majority in any school districts to have such schools as it may desire ; (d) the equitable and proportionate distribution between the majority and the minority of all moneys appropriated for education by the legislature of the province and of all moneys arising from the school fund established by the Dominion Lands Act.

House divided on amendment (Mr. Bergeron) :

Mr. LENNOX.

YEAS:

Messieurs.

Bergeron,	Monk,
Bourassa,	Morin,
Lavergne (Montmagny),	Paquet.—7.
Léonard,	

NAYS:

Messieurs.

Adamson,	Lalor,
Alcorn,	Lamont,
Archambault,	Lapointe,
Barker,	Laurier (Sir Wilfrid),
Barr,	Laurier (L'Assomption),
Béland,	Lavergne (Drummond &
Belcourt,	Arth.
Bennett,	Law,
Bickerdike,	LeBlanc,
Black,	Lemieux,
Blain,	Lennox,
Borden (Carleton),	Macdonald,
Boyce,	Macdonell,
Brabazon,	MacLaren,
Brodeur,	Maclean (Lunenburg),
Brown,	Macpherson.
Bruneau,	McCarthy (Calgary),
Bureau,	McColl,
Burrows,	McCool,
Caldwell,	McIntyre,
Calvert,	McIsaac,
Campbell,	McKenzie (Bruce),
Cash,	McKenzie
Chisholm,	(Cape Breton, N),
Christie,	McLennan,
Carrier,	Marcile (Bagot),
Clarke,	Marcil (Bonaventure),
Cochrane,	Martin (Wellington),
Cockshutt,	Mayrand,
Conmee,	Meigs,
Costigan,	Miller,
Crawford,	Northrup,
Crocket,	Oliver,
Cyr,	Parmelee
Daniel,	Paterson,
Delisle,	Parent,
Demers,	Perley,
Derbyshire,	Piché,
Desjardins,	Pickup,
Devlin,	Porter,
Dubeau,	Power,
Dugas,	Préfontaine,
Elson,	Proulx,
Emmerson,	Ratz,
Ethier,	Reid (Restigouche),
Finlayson,	Riley,
Fisher,	Roche (Marquette),
Fitzpatrick,	Ross (Rimouski),
Fortier,	Ross (Yale-Cariboo),
Galliher,	Rousseau,
Gauvreau,	Schaffner,
Geoffrion,	Schell (Oxford),
Girard,	Sinclair,
Gladu,	Smith (Oxford),
Grant,	Sproule,
Greenway,	Staples,
Gunn,	Stockton,
Guthrie,	Talbot (Bellechasse),
Hall,	Talbot (Strathcona),
Henderson,	Taylor,
Herron,	Telford,
Hughes (King's, P.E.I.),	Turgeon,
Hughes (Victoria),	Turriff,
Hunt,	Walsh,
Jackson (Elgin),	Wilmot,
Jackson (Selkirk),	Wilson
Johnston (Cape Breton	(Lennox & Addington).

Kemp,	Wilson (Russell),
Kennedy,	Wright (Muskoka),
Lake,	Wright (Renfrew),
Lake,	Zimmerman.—138.

Amendment (Mr. Bergeron) negatived.

Mr. CALVERT. Mr. Speaker, I beg to draw your attention to the fact that the hon. member for Western Assiniboia (Mr. Scott) has not voted.

Mr. SCOTT. I came into the chamber after the question was put. Under these circumstances I understand that the rules do not permit my vote to be recorded. If I am properly informed as to the amendment, I would have voted nay.

Mr. SAM. HUGHES. Mr. Speaker, each of the provinces of the Dominion of Canada when it entered the confederation came in with a school system of its own manufacture. That is all that is asked in relation to the elevation of the Northwest Territories into two provinces of the Dominion. I hold in my hand a motion which reads as follows:

That all the words after 'now' to the end of the question be left out and that the following words be inserted instead thereof:

Recommitted to a Committee of the Whole House, with an instruction that they have power to strike out section 2 of the Bill, and to substitute the following section therefor:

2. The provisions of the British North America Act, 1867 to 1886, shall apply to the province of Alberta in the same way and to the like extent as they apply to the other provinces heretofore comprised in the Dominion, except such provisions as in terms or by reasonable intendment are specially applicable to or affect one or more only and not the whole of the said provinces.

I shall not detain the House with any remarks on the motion further than to point out that if under the British North America Act the provinces are entitled to absolute control of educational affairs subject to the restrictive clauses of the British North America Act, well and good; but if under the British North America Act these new provinces would be subject to the legislation of 1875 and subsequent legislation, then we are satisfied that it should be so construed, and if separate schools are to be attached to the Northwest Territories which are now being erected into provinces, all we ask is that we stand by the British North America Act.

Mr. R. L. BORDEN. We might take the same division on this as was taken on section 16.

Sir WILFRID LAURIER. I cannot see the object of this motion at all. What is proposed?

Mr. R. L. BORDEN. I thought I might save the taking of a division. The object of the motion I can explain to the right hon. gentleman at considerable length if he would like to hear it.

Sir WILFRID LAURIER. We had better have a vote on it.

House divided on amendment of Mr. Sam. Hughes:

YEAS:

Messieurs

Alcorn,	Kemp,
Barker,	Lake,
Barr,	Lalor,
Bennett,	Lennox,
Blain,	MacLaren,
Borden (Carleton),	McCarthy (Calgary),
Boyce,	Northrup,
Chisholm,	Porter,
Christie,	Roche (Marquette),
Cochrane,	Schaffner,
Cockshutt,	Sproule,
Crocket,	Staples,
Daniel,	Stockton,
Elson,	Taylor,
Gunn,	Walsh,
Henderson,	Wilmot,
Herron,	Wilson (Lennox & Addington),
Hughes (Victoria),	Wright (Muskoka).—37.
Jackson (Elgin),	

NAYS:

Messieurs

Adamson,	Laurier (L'Assomption),
Archambault,	Lavergne (Drummond & Arth.),
Béland,	Lavergne (Montmagny),
Belcourt,	Law,
Bergeron,	LeBlanc,
Bickerdike,	Leonard,
Black,	Macdonald,
Bourassa,	Maclean (Lunenburg),
Brabazon,	Macpherson,
Brodeur,	McColl,
Brown,	McCool,
Bruneau,	McIsaac,
Bureau,	McKenzie (Bruce),
Burrows,	McKenzie (Cape Breton north),
Caldwell,	McLennan,
Calvert,	Marcile (Bagot),
Campbell,	Marcil (Bonaventure),
Cash,	Martin (Wellington),
Carrier,	Mayrand,
Clarke,	Meigs,
Conmee,	Miller,
Copp,	Monk,
Costigan,	Morin,
Crawford,	Oliver,
Cyr,	Parmelee,
Delisle,	Paterson,
Demers,	Paquet,
Derbyshire,	Parent,
Desjardins,	Perley,
Devlin,	Piché,
Dubeau,	Pickup,
Dugas,	Power,
Emmerson,	Préfontaine,
Ethier,	Proulx,
Finlayson,	Ratz,
Fisher,	Reid (Restigouche),
Fitzpatrick,	Riley,
Fortier,	Ross (Rimouski),
Galliher,	Ross (Yale-Cariboo),
Gauvreau,	Rousseau,
Geoffrion,	Schell (Oxford),
Girard,	
Gladu,	

Grant,	Scott,
Guthrie,	Sinclair,
Hall,	Smith (Oxford),
Hughes (King's, P.E.I.),	Talbot (Bellechasse),
Hunt,	Talbot (Strathcona),
Jackson (Selkirk),	Telford,
Johnston (Cape Breton South),	Turgeon,
	Turriff,
Kennedy,	Wilson (Russell),
Lamont,	Wright (Renfrew),
Papointe,	Zimmerman.—106.
Laurier (Sir Wilfrid),	

PAIRS :

Gordon,	Clements,
Harty,	Reid,
German,	Ganong,
Mulock,	White,
Logan,	Lefurgey,
Tobin,	Maclean (York),
Sloan.	Osler,
Lanctot,	Lancaster,
Lavoie,	McLean (P.E.I.),
Lemieux,	Tisdale,
Sifton,	Haggart,
Smith (Nanaimo),	Pringle,
Hyman,	Macdonnell,
Fielding,	Foster,
Borden (Sir F. W.),	Ward,
Watson,	Avery,
Dyment,	Ingram,
Findlay,	Broder,
Stewart,	Armstrong,
Greenway,	Bristol,
Bole,	Bland,
Carvell,	Fowler.

Amendment (Mr. Sam. Hughes) negatived.

Mr. H. BOURASSA (Labelle) moved :

That the Bill be referred back to a Committee of the Whole House with instructions that they have power to strike out clause 16 of the said Bill and substitute the following therefor :

16. The provisions of section 93 of the British North America Act of 1867 shall apply to the said province as if, at the date upon which this Act comes into force, the Territories comprised therein were already a province, the expression 'the union' in the said section being taken to mean the said date.

2. In the appropriation by the legislature of public moneys in aid of education, or in the distribution by the government of the province of any money arising from the school fund established by the Dominion Lands Act, there shall be no discrimination against the schools of any kind organized according to law.

He said : I need not explain that the object of this clause is purely and simply to enact the provisions submitted by the government in their first clause No. 16—that clause which was qualified by the hon. the Minister of Justice as an ideal one. The only difference is that I leave out the middle paragraph, which the Minister of Justice said was absolutely unnecessary. The position I take upon this question is the same as that which the government is taking upon the question of the taxation of the Canadian Pacific Railway lands. If this parliament is pledged by contract with the Canadian Pacific Railway, it is equally pledged to the Catholic or Protestant minority in the Territories. I do not see how we can respect one pledge and not the other. Moreover, clause 16, as it has been amended by my hon. friend from Saskatchewan (Mr. Lamont), to my mind, will create a very strange position indeed. Of course, I voted for the amendment of my hon. friend when that amendment stood by itself before the committee because it was based on the true principle that it is the right of the ratepayer and the father of a family to decide what kind of education his children shall receive. But when that amendment is connected with clause 16 it brings about a state of things which should be well put before the House and the country before a final vote is given. According to clause 16, as now before the House, it will be the right of the majority of every school district in the new provinces to decide what kind of religious teaching shall be given in the public schools. The legislatures will have no right whatever to interfere ; and the result will be that if the majority should happen to be of any denomination other than Protestant or Roman Catholic that majority may decide that the religious education given in the public schools will be one that will suit neither Roman Catholics nor Protestants, and neither this House nor the legislature will have any power to interfere. In that case, where will be the minority ? My hon. friend to my left says they will not send their children to the schools. Then what becomes of the right of the minority to have the school teaching such as we are promised by this amendment ? The government press have been saying that the effect of the amendment of the hon. member for Saskatchewan (Mr. Lamont) will be to secure to the Catholics the right of having everywhere such religious teaching as they desire. But in a district where the Greek Orthodox Church, or the Mormons, or Jews, or others who are neither Protestant nor Roman Catholic, are in a majority, they will be able to dictate what kind of religious teaching will be had in the public schools, and a separate school cannot be formed by the secession of either the Protestant or Catholic minority. If the majority should be neither Catholic nor Protestant, you will deprive the Catholics of any religious instruction in the public schools, and they will be deprived of their right to secede under section 41 of the ordinances. So that their position would be worse than it is now. This answers the argument of my hon. friend the leader of the opposition who said the amendment of my hon. friend from Sasktchewan covered my point and something more. What he should have said is that the amendment, connected with clause 16 of this Bill and with clause 41 of the ordinances of 1901, does not cover my point, although it covers something never asked for by me or anybody else. It will prevent the local legislatures from dealing with the matter of religious education in the public schools.

Neither the local legislatures nor this parliament will be able to protect the Protestant or Catholic minority in any district where they both may be in a minority. I may be told that I am predicting an impossible state of things ; but I would point out that there is now litigation before the Supreme Court of Canada as to the relative rights of the Greek Orthodox Church and the Catholics on church matters, and we may expect before long the same condition will exist with respect to schools. Certainly before ten or twenty years will have elapsed that state of things will exist in a large portion of the school districts of the new provinces.

I need not explain further the purport of my amendment. Its object is to guarantee what this government and parliament have acknowledged to be a pledge given to the minority, that wherever they are in a majority they shall be authorized to have schools of their own, and wherever they are in a minority they shall be authorized to separate from the public schools. Clause 16, No. 2 does not cover that point, and the amendment of the hon. member for Saskatchewan (Mr. Lamont), although good in its spirit, does not cover it either, so that I shall record my vote on this motion as protesting against the abandonment of the pledge which this government and parliament have acknowledged as binding upon them.

Mr. FITZPATRICK. I agree with my hon. friend the leader of the opposition respecting the legal aspect of the clause, and on further consideration, I think that my hon. friend from Labelle (Mr. Bourassa) will find that if the majority in any district should happen to be either Catholic or Protestant, the right for the Protestant or Catholic ratepayers to establish a school undoubtedly exists. As to the right of the Mormons to teach their peculiar tenets in the Territories including the unsavoury one of polygamy, I submit, with all deference to my hon. friend from Labelle (Mr. Bourassa), that no such right exists in view of our Criminal Code.

Mr. BARR. But what about the Galicians and other denominations ? What position will they occupy ?

Mr. FITZPATRICK. I am not familiar with the doctrines of the Mormons any more than those of the Galicians. I assume that the Mormon doctrine goes in the direction of polygamy, and that cannot be taught in Canada.

House divided on amendment (Mr. Bourassa) :

YEAS:

Messieurs

Bergeron, Monk,
Bourassa, Morin,
Lavergne (Montmagny), Paquet.—7.
Léonard,

281½

NAYS:

Messieurs

Adamson, Lalor,
Alcorn, Lamont,
Archambault, Lapointe,
Barker, Laurier (Sir Wilfrid),
Barr, Laurier (L'Assomption),
Beauparlant, Lavergne (Drummond & Arth.),
Béland, Law,
Belcourt, LeBlanc,
Bickerdike, Macdonald,
Black, Macdonell,
Blain, MacLaren,
Borden (Carleton), Maclean (Lunenburg),
Borden (Sir Frederick), Macpherson,
Boyce, McCarthy (Calgary),
Brabazon, McColl,
Brodeur, McCool,
Brown, McIntyre,
Bruneau, McIsaac,
Bureau, McKenzie (Bruce),
Burrows, McKenzie,
Caldwell, (Cape Breton, N.),
Calvert, McLennan,
Campbell, Marcile (Bagot),
Carrier, Marcil (Bonaventure),
Cash, Martin (Wellington),
Chisholm, Mayrand,
Christie, Meigs,
Clarke, Miller,
Cochrane, Northrup,
Cockshutt, Oliver,
Conmee, Parmelee,
Costigan, Paterson,
Crawford, Parent,
Crocket, Perley,
Cyr, Piché,
Daniel, Pickup,
Delisle, Porter,
Demers, Power,
Derbyshire, Préfontaine,
Desjardins, Proulx,
Devlin, Ratz,
Dubeau, Reid (Restigouche),
Dugas, Riley,
Elson, Roche (Marquette),
Emmerson, Ross (Rimouski),
Ethier, Ross (Yale-Cariboo),
Finlayson, Rousseau,
Fisher, Schaffner,
Fitzpatrick, Schell (Oxford),
Fortier, Scott,
Gauvreau, Sinclair,
Geoffrion, Smith (Oxford),
Girard, Sproule,
Gladu, Staples,
Gunn, Talbot (Bellechasse),
Guthrie, Talbot (Strathcona),
Hall, Telford,
Henderson, Turgeon,
Herron, Turriff,
Hughes (King's, P.E.I.), Walsh,
Hunt, Wilmot,
Jackson (Elgin), Wilson
Jackson (Selkirk), (Lennox & Addington),
Johnston Wilson (Russell),
(Cape Breton, South) Wright (Muskoka),
Kemp, Wright (Renfrew),
Kennedy, Zimmerman.—132.
Lake,

Amendment (Mr. Bourassa) negatived.

Mr. O. E. TALBOT. Mr. Speaker, I would draw your attention to the fact that the Solicitor General (Mr. Lemieux) has not voted.

Mr. LEMIEUX. I am paired with the hon. member for Norfolk (Mr. Tisdale). Had I voted I would have voted 'nay.'

Mr. F. D. MONK (Jacques Cartier) moved:

That the said Bill be not now read the third time, but that it be sent back to Committee of the Whole House with instructions that they have power to add the following paragraph after clause 2 of the Bill:

Either the English or the French language may be used by any person in the debates of the legislative assembly of the province and in the proceedings of the courts, and both these languages shall be used in the records and journals of such assembly, and all laws made by the legislature shall be printed in both languages: provided, however, that the said legislative assembly may by law or otherwise regulate its proceedings and the manner of recording the publishing the same and the regulations so made shall be embodied in a proclamation which shall be forthwith made and published by the Lieutenant Governor in conformity of the law and thereafter shall have full force and effect.

He said: Just one word of explanation. This is the law of the Territories at the present time, and, under the terms of the Bill, that law would be continued until altered by the provincial legislature. The law was enacted in 1891. Previous to 1891 the scope of the law was wider. The French language had the same status as the English language in the Northwest assembly. This amendment, passed in 1891, permits the assembly of the Territories to regulate its proceedings as it thinks fit and to adopt the English language. It has done so. Under this amendment, if adopted by the House, the legislatures of the two provinces would be free to regulate their own proceedings absolutely and to adopt the English language. The only right that is safeguarded by this amendment is the right to use the French language in the courts and also in the debates if a member of the House sees fit to use that language, and it provides for the translation of the statutes. It maintains to that extent, and to that extent only, the agreement to which I referred at length when I proposed this amendment in the first instance.

Mr. L. P. DEMERS (St. John and Iberville). (Translation.) When this question came up for discussion last Friday, I was obliged to be absent; hence my desire to take advantage of this opportunity to say a few words in order to explain the vote that I will be called upon to give upon this amendment. To begin with, I must remark that this proposition coming from the hon. member for Jacques Cartier (Mr. Monk) emanates from a source that we should not and could not have anticipated. In truth, when that hon. member delivered an address on the constitutional question affecting the schools in the new provinces, we did not differ in opinion, and we all were unanimous in recognizing that his speech was evidence that the hon. member had thoroughly studied the question. During the debate on the second reading of this Bill, the hon. member for Jacques Cartier defined the principles that should guide us in the exercise of our powers, as a parliament, regarding the constitution of the new provinces created in the west. At page 3071, the hon. member expressed himself thus:

My interpretation of section 2 of the Imperial Act of 1871, is that that Act clearly gives us the creative power. It enables us to decree the establishment of a province, to constitute it by defining its limits and entering into other details which are absolutely necessary for the purpose of such creation, but the moment that act has been performed our power is exhausted and the new province comes under the control of the different clauses of the Act of 1867, and these clauses apply in their entirety to it.

The hon. member therefore stated that, in his opinion, this parliament has not the right to change the provisions of the constitution, nor to alter it in any way, when we apply it to these western territories; all that which we could do, to his mind, was merely to create those provinces, to define and limit their powers, and that from the moment we have defined their powers, the federal parliament has exhausted its own legislative power. Such is the theory advocated by the hon. gentleman. If the hon. member for Jacques Cartier decided to vote for clause 16, such as proposed by the government, it is because that principle was consecrated and recognized by the constitution as the one constructed by the hon. gentleman himself, and that he considered it opportune to remove all doubts. But the hon. gentleman is not the only one to claim that this parliament had not the right to limit the powers of the new provinces. The hon. member for Beauharnois (Mr. Bergeron) followed in his footsteps, and at page 3496, I read the following in his speech of March 30 last:

In speaking of the position taken by my leader, I wish to say openly that, to my mind, he made an admirable speech to which nobody can take exception. We may not all share the conclusions to which he came, but every man on this side, and I believe on the other side as well is convinced that the leader of the opposition spoke in all sincertity without any bias, and influenced solely by a desire for the welfare of Canada. So much is that the case, that if in that amendment of his, ten words were struck off at the end, I would be disposed to support it. And in doing so I would be standing on a good principle, namely, provincial autonomy and provincial rights; and in my opinion clause 93 of the British North America Act would give the new provinces the school system they have to-day. But as a doubt has been expressed by the Minister of Justice, I would have clause 16.

As will be seen, the hon. member for Beauharnois did affirm the very principle formulated by the hon. member for Jacques Cartier (Mr. Monk). As I said a moment ago, there is ground for surprise at seeing

the hon. member for Jacques Cartier laying down a proposition to restrict the rights of these provinces, rights that are evidently recognized as theirs by the British North America Act.

The hon. member stated also that we were abolishing the French language; but we are not doing away with the French language, and it will continue to exist by law. But that is not the issue before us; what we are dealing with now, is whether or not we should place a restriction upon the liberty of the provinces. That is the question. It is now a matter of formulating the principle that this parliament has not the right to enact without any necessity, special provisions, when making a constitution for the new provinces.

Now, the hon. member for Jacques Cartier after having upheld that position and having also supported his leader, even to the school question, was obliged to abandon him. The hon. leader of the opposition had, likewise, followed the hon. member as long as he could do so, he paid him back, he supported him down to the moment of voting exclusively, but there his zeal stopped.

The hon. gentleman having advocated the principle that we had not the power to give the new provinces the constitution we wanted to give them, exclaimed: 'Why, if you restrict the power of the provinces on the school question, why not also do the same as to all their powers'? We made answer to this, that it was necessity alone that could justify the government in defining more clearly clause 93 of the constitution.

Now, the hon. member for Labelle stated that, in his opinion, this motion did not go far enough, and he moved an amendment to the amendment. The hon. member for Jacques Cartier claimed that the legislature should have the power to abolish the French language in its proceedings, as enacted in the motion passed in 1890. He considered that it was a question of policy and that the legislature should be left free to deal with the question as it deemed fit. The hon. member for Labelle wished to take that power away from the legislatures, and yet the hon. member for Jacques Cartier supported the amendment moved by the hon. member for Labelle. But if the hon. gentleman (Mr. Monk) was of the opinion that it was but fair to leave it in the hands of the legislatures to abolish or to maintain the French language, what are the grounds which have compelled him, since he moved his amendment, to change his mind?

In 1890, the hon. member for Beauharnois voted in favour of a proposition similar to that of the hon. member for Jacques Cartier, allowing the legislative assembly of the Territories to abolish the use of the French language in their proceedings, whenever they shall deem it opportune to do so. He voted for that resolution, with all the Conservative members of the day. How, then, could he vote for the amendment of the hon. member for Labelle, as he did the other day?

Mr. MONK. (Translation.) Does my hon. friend believe that we are not bound by clause 16 of the 'Bill of Rights' submitted by the delegates from the Red River settlement in 1870 to the government of Canada, which provides for the use of the dual language throughout the whole extent of the Northwest? Does not the hon. member believe that the pledge is being now broken by the abolition of the French language.

Mr. DEMERS. (Translation.) I think the hon. the Prime Minister, amongst others, has demonstrated in a most absolute manner that the contention of my hon. friend from Jacques Cartier was indefensible. I do not wish to go now into the merits of that question. This question had been discussed by this parliament in 1900 and this House has allowed the abolition of the French language in the Northwest. The legislature of those Territories had been authorized by a vote of this House to do away with the French language. A most significant fact, that cannot escape the attention of most members is this, that when the Bill was submitted to this House, the vast majority of members approved of it. Take the speeches that were delivered during the debate on the second reading of the Bill, and you will see, Mr. Speaker, that not one of all those who spoke has found fault with the government for not providing for the use of the French language in the legislatures of the new provinces.

I would like to know if among all those members, who then spoke, there was to be found one single speaker who made the slightest reservation in favour of the French language. For my part I did not hear any. Did not my hon. friend the member for Montmagny (Mr. Lavergne), give his unqualified approval of the Bill to the 21st February?

Mr. A. LAVERGNE. (Translation.) On the school question, I did approve of the Bill, but not on the use of the French language.

Mr. DEMERS. (Translation.) I say that there was no question of the French language, that no complaint was made that its use was not prescribed, and I affirm that no member, before voting on the second reading, had made any reservation on that point, nor blamed the government for not having provided for the use of the French language. Moreover, how comes it, that the 'Club Jacques-Cartier' of Montreal, which showed so much zeal in regard to this Bill, that had petitions circulated, did not think of that omission of the government? And the Conservative newspapers, I will say further, the opposition newspapers such as the 'Nationaliste,' for example, did not think of that slip. The correspondent

of that paper, Pont Bernard, on the 26th February, referred to the debate raised by this Bill, and to the speech made by the Premier, but he did not say a single word regarding the omission concerning the use of the French language. No person, at that time, had noticed that awful omission, and it was only later on that, for the purpose of having a vote, it was thought of.

As I said, it is a most remarkable fact, that, after the second reading of the Bill, no person had stated that the French Canadians, in the Territories, had an absolute right to the maintenance of the French language. As a matter of fact, I have not heard of any representations having been made to the government on the matter, up to that date.

Mr. BOURASSA. (Translation.) Why ?

Mr. DEMERS. (Translation.) On the grounds that were so ably set forth by the hon. the Prime Minister ; on this ground, namely, that under the constitution, we have a right to the use of the French language in the Dominion parliament, before the federal courts, and before the courts and in the legislature of the province of Quebec, but nowhere else. That is the right provided for by the constitution of 1867. But, I may be told that there was a law passed in 1877, which provides for the use of the French language. We do not repeal that law.

Mr. A. LAVERGNE. (Translation.) Does my hon. friend pretend that when this Bill is passed, the law of 1877 will not be repealed ?

Mr. DEMERS. (Translation.) The law of 1877 will be repealed ; but by that very fact, the French language will not be abolished. I maintain that under this Bill, we are not doing away with the use of the French language. I hold, moreover, that under the constitution, we have no right to impose that restriction. We have the power to do it. You may have the power to do a thing without being bound to do it ?

Mr. MONK. (Translation.) We have the power ?

Mr. DEMERS. (Translation.) Does my hon. friend from Jacques Cartier state that we have not the power ?

Mr. MONK. (Translation.) Have we that power ?

Mr. DEMERS. (Translation.) I have maintained that we have the power. The hon. member for Labelle has stated the same. He could then bring forward this motion, without stultifying himself.

Mr. MONK. (Translation.) The hon. member should not forget that I grounded myself upon the statement made by the Minister of Inland Revenue, who declared that, for us, the Bill of Rights of 1870 was sacred. I argued that if we are bound by the Bill of Rights on the school question, we are also bound as concerns the use of the French language.

Mr. DEMERS. (Translation.) My hon. friend is nw abjuring the principle which he has laid down.

Mr. MONK. (Translation.) I have been enlightened by the argument made by the hon. Minister of Inland Revenue.

Mr. DEMERS. (Translation.) Precisely, but it is regrettable that the hon. member did not allow himself to be enlightened upon other points by the hon. the Minister of Inland Revenue. The school question is one thing and the use of the French language is another thing.

We should be very solicitous about the autonomy of the provinces. We are bound to give them all the rights conferred upon them by the constitution. That constitution restricts the powers of the provinces, as to the educational question, but not as to the language. That restrictive provision is to be found in article 93, with which we are all familiar. The provision relating to the French language is limited only to the province of Quebec, and to the federal parliament, and it applies nowhere else. Could the government impose this new restriction on the western provinces, the more so as our French speaking fellow-countrymen are so few in numbers there that they would not even speak French in the legislature, were they given that right ? The French Canadian population in the west represent but about four per cent of the total population ; such being the figures laid before the House without being challenged by anybody. Each legislature will have 25 members, making 50 in all. According to that ratio of 4 per cent, there would only be one French member in each legislature. That there may be an assembly, at least three people are needed, and as that French member would be alone, he would have to speak French to himself.

To my mind it is not a matter of sentiment, but it is one of principle. I do not call in question the good faith of any hon. member. I am quite willing to believe that the mover of this motion is a sincere convert. To my mind, this is a constitutional matter, and I say that we should not impose, without an absolute necessity, any restrictions on the new provinces. This view of mine tallies with the statement I made on the first reading of the Bill. The hon. member for Labelle (Mr. Bourassa), is of a different opinion, and I regret very much that I cannot see this matter in the same light as he does. For us, it is a very delicate duty to be obliged to vote against the binding use of the French language, but we have to follow the wise dictates of reason rather than those of sentiment.

The present circumstances recall to my mind an anecdote. A great Greek orator one day declared at a public meeting in

Athens that he had devised a great scheme for the good of his country, but that he could not inform his audience of it. He begged of them to point him out a person to whom he could communicate his plan. Socrates was the person selected. Socrates, being informed of it, returned to the Greeks and told them that nothing would be more useful than the project in question, but he added that nothing could be more unjust. The people, then, with one voice, refused at once to be a party to the scheme. Their example should be a guide for us. It is regrettable that public men should have to pronounce upon delicate matters that touch their national pride and dignity. I, therefore, consider that this motion, under the circumstances, is inopportune.

Mr. HENRI BOURASSA. (Labelle.) (Translation.) Before moving an amendment to the amendment, moved by the hon. member for Jacques Cartier—that is to say before making the same motion that I made on Friday—I wish to offer a few remarks in reply to my hon. friend the member for St. John and Iberville, (Mr. Demers), I congratulate the hon. gentleman on the language that he has used, which contrasts happily with the stump-speech wherewith another hon. gentleman honoured me last Friday on the same subject. No more to-day than last week do I propose replying to that language, but I will take the liberty of saying that I was surprised at the applause with which certain French Canadian members, so-called Liberals, received those passages in the speech of the member for Kamouraska (Mr. Lapointe) which insulted the memory of a man whom the Liberal party had long claimed as its founder and as the most illustrious of its leaders.

Mr. ETHIER. (Translation.) Who ?

Mr. BOURASSA. (Papineau). (Translation.) It is scarcely necessary that I should strive to refute an old time calumny long known to be false, not only by the disciples and admirers of Papineau, but even by his opponents. To that colleague who deemed it fit to unearth that calumny and to those who cheered him, I will simply recall the words used by a great French writer in reply to the insult launched by an obscure calumniator against the memory of an illustrious man. 'A filthy insect may soil his statue; but the wind that blows carries off the insect and the stain, and the marble remains intact in its imperishable beauty.'

The first argument brought forward by the hon. member for St. John and Iberville (Mr. Demers), and that upon which he most depended to oppose the motion of the member for Jacques Cartier, is that no one here—referred to the maintaining of the French language, during the debate that preceded the second reading of this Bill. I agree that from the standpoint of narraw logic, that argument might have some weight; but I do not think I shall have much trouble in reputing it and in explaining why I did not deal with this question, at the beginning of the discussion. It is needless to recall to the House the explosion of fanaticism that greeted the attitude taken, in the first place, by the government in connection with the educational clause. From the outset of the debate, the leader of the opposition laid down a proposition that narrowed the discussion to the consideration of the principle of the interference of the federal power in educational matters. When I spoke during that debate, I squarely opposed the proposition of the leader of the opposition and the policy of his party on that subject, and gave a loyal support to the position taken by the government. I did not then think it wise to introduce into the discussion the consideration of the subject which we are now dealing with. I had, however, decided to move an amendment similar to that of the member for Jacques Cartier, or rather to move the amendment that I submitted to the House on Friday, and that in a moment I will repeat. I have, moreover, no fault to find with my colleague who has got ahead of me, and I do not hesitate in any way to give him my support, while yet proposing to impart a more complete scope to his amendment.

The hon. member for Jacques Cartier is accused of seeking to make political capital out of this question. It is strange that the government members and newspapers should so treat the hon. member. When he supported the policy of the government, the 'Herald' and the organs of the cabinet could not find language sufficiently eulogious to sing the praises of his patriotism. To-day, when he is not in harmony with them, but while he continues to uphold the rights of the Catholic and French minority in the west, of which the Liberal party pretends to be the champion, they have only insults to heap upon him. As to me, I am in accord with him on this question which affects our national honour, as I was in accord with him on the school question, the solution of which affects to such a degree the minority of the west and the prosperity of the whole country. I decided from the very start, to take in all these questions a stand in conformity with my convictions, without any regard for the interests and the intrigues of the cliques.

I was sufficiently liberal to consider all propositions submitted to this House according to their intrinsic merits, and to give them my support, no matter from whom they emanate, if I find them in accord with my principles and convictions. This, perhaps, is in what my liberalism differs from that of a number of my colleagues on the right.

Upon the constitutional ground, whereon the hon. member for St. John and Iberville, based his second line of defence, he will allow me to tell him that he entrenches himself too easily behind the general and absolute proposition that the Prime Minister

has completely disposed of the theory of the member for Jacques Cartier. The hon. gentleman (Mr. Demers) attaches no importance whatsoever to the Bill of Rights which the delegates from the Red River presented to the Federal government in 1870. He denies the existence of the contract that arose from the acceptance of that document by the Federal authorities. He does not agree with his leader on that point. The Premier recognizes the existence of the contract, but he denies that the obligations born thereof extend beyond the province of Manitoba.

The hon. gentleman further wholly disagrees with another of his leaders, the Minister of Inland Revenue (Mr. Brodeur), who not only admits the existence of the argeement, but has recalled it in the course of his argument as made on behalf of the people of the Northwest Territories, as well as on that of the people of Manitoba.

I have already clearly defined my position on the subject. I entirely agree with the Minister of Inland Revenue. I believe in the existence of the agreement, and I do not find anything in the records of this House to warrant the contention of the Prime Minister. I cannot bring myself to believe that in tracing the boundaries of Manitoba, the Dominion parliament have thereby shown their intention of denying to the French speaking people settled in the remainder of the Territories, the guarantees which they granted to that part of the population comprised within the limits of the new provinces. Now then, if the Minister of Inland Revenue and myself are right, would not the compact whereby the Dominion government is bound to guarantee to the Catholic minority in the Northwest their separate schools, bind them to maintain at the same time the official use of the French language, since these two constitutional rights were both included in the Bill of Rights presented by the delegates from the Red River and accepted by the Dominion parliament? I willingly acknowledge the ability of the member for St. Johns in all legal matters; but, with all due respect, I think I may, in a matter of this kind, abide rather by the opinion of the Minister of Inland Revenue, who is also an eminent lawyer.

Mr. DEMERS. (Translation.) Will the hon. gentleman state what paragraph of the constitution would warrant the enforcing of the use of the French language on the western provinces?

Mr. BOURASSA. (Translation.) On this point as well as on the other, my colleague will allow me to stand by the opinion of another of his leaders, a legal authority of still greater eminence than the Minister of Inland Revenue, I mean the Minister of Justice (Mr. Fitzpatrick). That hon. gentleman has clearly set forth the difference which exists between the letter and the spirit of the constitution. Of course, the Confederation Act has no provision which defines the powers of the Dominion parliament in this transaction. But, as stated by the hon. Minister of Justice, beside and above the written law, there is a constitutional doctrine, which it is difficult to define, growing out of the gradual and reasoned carrying out of the very principles embodied in the constitution. The Act of 1867 provided at the outset solely for the organization of the provinces then constitutional. Even before entering confederation, these provinces enjoyed self-government; they had their parliament, their official tongue, their rules of parliamentary procedure. The idea did not occur to the fathers of confederation to alter that condition of things; but in establishing the Dominion parliament, they did so on a basis in harmony with the rights and traditions of the two elements which make up the Canadian nation; and that is why they provided that the French and English tongues would be, on equal terms, the official language of Canada. Later on, the Dominion parliament acquired those immense western territories out of which were carved the province of Manitoba and those of Alberta and Saskatchewan. These territories were acquired in the name and with the money of the whole Canadian people, French as well as English, Catholic as well as Protestant. And when parliament established the former of these provinces, they did not forget the rights of the French Canadian people, they deemed it fair and reasonable that the two official languages of Canada be also declared to be such in the province of Manitoba. Does the hon. member for St. Johns contend that the legislators of 1870, that the Macdonalds, the Cartiers, the Holtons, the Huntingtons, that all those eminent statesmen who were then at the head of both parties, broke the constitution of 1867 when, in 1870, they recognized the rights of the French language in Manitoba.

Mr. DEMERS. (Translation.) Circumstances have changed.

Mr. BOURASSA. (Translation.) In what respect?

Mr. DEMERS. (Translation.) As the Prime Minister has explained, the French Canadians were numerous enough at the time to warrant the official recognition of the French language in Manitoba; that reason does not exist in the Territories to-day.

Mr. BOURASSA. (Translation.) That is not at all the contention set forth by the Prime Minister. The right hon. gentleman acknowledges the existence of the moral agreement entered into in 1870. But he suggests that its scope is limited to the province of Manitoba and that it would not be possible to make it applicable to the other western provinces. I contend that the right hon. gentleman has not adduced

the slightest evidence in support of that statement. However, the fact remains that the makers of the Manitoba constitution have enacted section 23 provided for the official use of the French language in that province; and if they had the right to do so, why should we be debarred from imposing the same terms on the provinces of Alberta and Saskatchewan. I shall go further: I contend that not only have the promoters of the Act of 1870 not violated the constitution of 1867, but they have, on the contrary, been inspired by its fundamental principle, in granting to the French language in Manitoba the same rights which the constitution itself grants to the Dominion parliament. And if we wish ourselves to remain faithful to that principle, we should follow their example and provide that the French and English tongues will be for ever, and on an equal footing, official in Alberta and Saskatchewan, two provinces cut out, as was Manitoba, from those vast territories which are the property of the whole Canadian people. What I claim, is the carrying out of the same principle which was applied in connection with the establishment of the Dominion itself. It is the principle which Sir John Macdonald advocated when he proclaimed that there were no longer in Canada victors and vanquished, but two allies whose rights, equal by virtue of the constitution, are not measured by the numbers and riches of the various groups. That is the principle which is embodied in the constitution of Manitoba. That is the principle which I would have recognized and applied to-day. I am not breaking the constitution, but parliament will be breaking it, should they reject my proposal and that of the member for Jacques Cartier.

The hon. member for St. John's has referred to the small numbers of French speaking people in the Territories. The Solicitor General argued on the same lines, when he stated that we had no right to claim the official recognition of the French language in the Northwest Territories, because the French speaking people were not as numerous as the Germans, the Doukhobors or the Mormons. The Prime Minister spoke in a similar strain, when he stated that the French Canadians in Massachusetts have stronger claims to the official recognition of their tongue in that state, than the French speaking people have in our western provinces. Have we really reached that point? Are we, with one stroke of the pen, to blot out 150 years of our history; and on this Canadian soil, which our ancestors opened up to civilization, under the British flag which we twice saved from the savage onslaughts on the part of Anglo-Saxon Protestants from the neighbouring republic, under this constitution which is the mere outcome of the compact entered into by the two great groups of the Canadian nation, are we to be told that we are entitled to no more consideration than our fellow countrymen who have drifted to a foreign land? Is that really the reward coming to us after a century and a half of unfaltering loyalty to British institutions? Is that the result of the compact loyally gone into in 1867 between English and French speaking Canadians?

In order to do away with a proposal resting on the wide and solid foundation which I have mentioned, subterfuges are resorted to. It is argued that the original compact and the rights of the French language in the west have already been interfered with by parliament in 1890. That is only a pretense. I have a higher notion of the duties and responsibilities devolving on the representatives of the Canadian nation. If the parliament of 1890 has made a mistake, that is no reason for us to repeat it and aggravate it. If parliament in 1890 misapprehended the work of the fathers of confederation and of the makers of the Manitoba constitution, it is our bounden duty to correct that mistake. Parliament in 1890 abolished the use of the French language in the legislative assembly; and now that injustice becomes an argument for those who wish to carry through that sinister work and do away with the printing in French of statutes and legal proceedings. An effort is made to palliate that wrong by covering it up with a further crime. To that I answer boldly: Instead of resuming the work initiated by parliament in 1890, let us retrace our footsteps and take the stand taken formerly by the promoters of the Act of 1870.

In this connection there has been some quibbling. It has been contended that we are not doing away with the French language, but that we are simply leaving to the legislature in the new provinces the right to act as they think fit. That is another attempt at hedging. We all know what fate is reserved to the French language if provincial legislatures are granted full sway. Past experience is sufficient to enlighten us in that respect. When, in 1890, Sir John Thompson moved that the legislative assembly of the Northwest Territories be granted the right to decide in what tongue its proceedings would be carried on, the then leader of the opposition, to-day Premier of this Dominion (Sir Wilfrid Laurier) seconded his motion. He drew attention to the fact that there was not at the time a single French Canadian member in the legislative assembly. He added that if the French minority should elect a single representative, the English-speaking majority would, no doubt, refrain from abolishing the use of the French language. What was the outcome? In 1892, Mr. Haultain moved the abolition of the French language. At the time there were two French Canadian representatives in the legislature. One of them, Mr. Prince, spoke on behalf of the rights of the minority, appealed to the spirit

of fairness of the majority, claimed equal rights for the two great Canadian nationalities ; but his efforts were in vain, and the French language was done away with. So, then, we are in a position to know what are the feelings towards us of the English-speaking majority in the west ; and if we are anxious to perpetuate in these provinces the conditions of the compact of 1867, if we are anxious to carry on the work of the makers of the Manitoba constitution, if we are anxious to maintain the constitutional basis which I have referred to, let us introduce in the Bills submitted to us a clause guaranteeing the rights of the minority against any interference similar to that of which the English majority has been guilty in 1892. Instead of seeking in our past experience an excuse for our present inactivity, I find therein a lesson which should induce us to define clearly the rights of the minority and safeguard them by means of a precise and unmistakable enactment. Let us not delude ourselves in the matter ! If the House rejects my proposal and that of the hon. member for Jacques Cartier, then let us give up all hope as to the rights of the French language in the west. French Canadian members who are fighting us are making for the downfall of our nationality ; and should parliament reject our amendment, I say an essential principle of our constitution is being violated.

Let each one of us consult his conscience and realize what responsibility he is assuming just now. As for me, I refuse to take a hand in this unpatriotic work.

The Prime Minister recalls the obligations which parliament has assumed towards the Canadian Pacific Railway company. He does not hesitate to go counter to the letter and spirit of the constitution in order to secure the rights of that powerful corporation ; and in this connection he has the support of the whole House ; the agreement is considered sacred ; and all enactments, all constitutions are bound to disappear in order to secure its full carrying out. Why, then, should the no less sacred obligations which parliament and the Canadian people have assumed towards the French people of the west be violated ? Is it because that powerful Canadian Pacific Railway Company commands a greater number of votes than the French minority in the west ? I refuse to measure or weigh by such a standard my moral responsibilities and obligations. I give my support to the government when they wish to compel the western provinces to respect the rights of the Canadian Pacific Railway Company ; but I regard as still more sacred the rights of my fellow-countrymen ; and that is why I am moving in this House a provision which guarantees those rights still more completely than the amendment introduced by the member for Jacques Cartier. I wish to blot out the wrong committed by the legislators of 1890, and to revert to the constitutional basis laid down by parliament in 1870.

I therefore move, seconded by Mr. Lavergne, member for Montmagny, that the amendment introduced by the member for Jacques Cartier be amended by striking out the last clause beginning by the word 'provided.'

The Right Hon. Sir WILFRID LAURIER. (Translation.) The hon. member for Labelle, knows that there is a principle which all Liberals, and particularly French-speaking Liberals have always held sacred, and that is the absolute right of the provinces to make their own laws. It is an historical fact, well known to all, that if we have to-day a federal, instead of a legislative union, that is due to the persistent efforts of the French Canadians, who, in order to secure self-government, in order to be in a position to legislate for themselves, and to settle all questions of internal economy have insisted on having that division of powers implied in a federal union. Well, among the rights embodied in section 92 of the constitution, there are some which are perhaps more important than all others ; I mean property and civil rights. The language question is one of civil rights.

I deny the statement which has just been made by the hon. member for Labelle, that, under the constitution enacted in 1867—I am mistaken, to which we freely gave our assent in 1867—the French language was put on an equal footing in the various provinces.

Mr. BOURASSA. (Translation.) I think the right hon. Prime Minister is mistaken ; that is not what I said. I said that each of the original provinces had preserved its rights ; but that the French language had been put on an equal footing with the English in the Dominion parliament, and that I considered we should do the same as regards the new provinces.

Sir WILFRID LAURIER. (Translation.) I am very much pleased to hear that statement ; in the heat of the debate the hon. member seems to have gone beyond what he intended to say. At any rate, if, in this House, we have the right to use both languages, it is not simply a theoretical right. It is because the great majority of the province of Quebec send French Canadian representatives to parliament.

I am now coming to the principle expressed by the hon. member for Labelle—and I trust he will recognize it as I do on all occasions—and that is that the rights of the provinces are absolute within the limits of the constitution, and that among these rights there is the freedom to legislate as regards the language to be used in the courts and the legislative assembly.

Now, if the House agreed to that amendment, as desired by the hon. member for Labelle, and if we inserted it in the consti-

tution which we are enacting for the province of Alberta and for that of Saskatchewan, we would be interfering thereby with one of the rights of these provinces, that of deciding in what language the proceedings will be carried on in the legislatures.

There is one other thing which he will recognize. In the constitutions which we are giving to Alberta and Saskatchewan, we have deliberately restricted the rights of the provinces to legislate on educational matters. We have done so under the authority granted by section 93 of the constitution. For, in matters of education, the rights of the provinces are not absolute; they are restricted by the powers of interference of the Dominion parliament. We have done so with a view to remaining faithful to the principle laid down, whereby in matters of education the fundamental right of the provinces is limited, in order to safeguard separate schools. My hon. friend stated a moment ago that we had refrained from dealing with the French language question, on account of the commotion which the discussion on separate schools had given rise to. Does my hon. friend think that the excitement has now subsided? Is he of opinion that the agitation is about to cease, and that he may safely to-day do what he considered unadvisable two or three months ago? I ask him, is he any more justified in taking that stand just new than he would have been a few weeks ago? No; we would have been grievously amiss if we had given further cause to the agitation already on foot.

If my hon. friend were able to point out in the constitution a single clause stating that the French language shall have official recognition in every province, I would be ready to agree with him. But he will seek in vain in the whole British North America Act a provision dealing with the French language in the same way as schools are dealt with. Schools have been put on a different footing. Exception has been made for them; but no such exception has been made as regards the French language.

I need not tell my hon. friend of Labelle that I am as proud of my tongue as he himself may be, that I am as proud of my race as he is, and that I am anxious to see it respected in the other provinces. If the French Canadians, however, are desirous that their rights be respected in the other provinces, they, should always be the first to abide by the constitution.

As a matter of fact, I do not at all agree with my hon. friend for Jacques Cartier (Mr Monk) as to the guarantee which he claims to find in the Bill of Rights. But another question comes up here: Is not that merely an illusory right? Of what use would it be, following on the enactment of 1890? According to the member for Labelle, parliament committed a wrong, in 1890. In my opinion, parliament did not do anything of the sort. If there had been a number of French-speaking members in the Northwest legislature in 1890, if there were a number of these French-speaking members in that legislature to-day, he would have no reason to fear the emergency he refers to. But I need not recall to the hon. member for Labelle that the hopes he entertains regarding the development of the French idiom in the Northwest will not materialize.

I remember—I was not here then, but it is an historical fact—that Sir George Cartier speaking from the very seat which I occupy at present, stated, in 1870, that the province of Manitoba, which was then being created, would be a second Quebec. Sir John A. Macdonald made a similar statement, but these hopes have not materialized; the tide of French Canadian emigration did not flow towards that province, as was then expected.

In 1890, two Acts were passed by the Manitoba legislature, one abolishing separate schools, and the other abolishing the official use of the French language. Enormous efforts were made to prevent the abolition of separate schools, but as regards the French language, what steps have been taken? Sir John Thompson stated in a memorandum, that the Act doing away with the official use of the French language was entirely ultra vires. Nevertheless, no steps were taken to have it repealed. Why? Because the French-speaking people out there did not care to undertake the fight, being too weak, and, I imagine, realizing that there was no need for the use of that language in the legislature. Well, to-day, in these territories where French Canadians are so few, of what avail would it be to grant a right which would limit the power of the legislature on that point.

I regret that it should be so, but I for one intend to vote against these amendments. I am not ignorant of the consequences which may result therefrom; but even in face of these, I do not hesitate to say that I trust French Canadians will be the first on this occasion, as on any other of the same kind, to respect the constitution which guarantees their rights in the province of Quebec.

House divided on the amendment to the amendment.—(Mr. Bourassa.)

YEAS.

Messieurs

Bergeron, Bourassa, Lavergne (Montmagny), Léonard, Monk, Morin, Paquet.—7.

NAYS:

Messieurs

Adamson, Alcorn, Archambault, Barker, Barr, Beauparlant, Lamont, Lapointe, Laurier (Sir Wilfrid), Laurier (L'Assomption), Lavergne (Drummond & Ath.),

Béland,
Belcourt,
Bickerdike,
Black,
Blain,
Borden (Carleton),
Borden (Sir Frederick),
Bourbonnais,
Boyce,
Brabazon,
Brodeur,
Brown,
Bruneau,
Bureau,
Caldwell,
Calvert,
Campbell,
Carney,
Carrier,
Cash,
Chisholm,
Christie,
Cochrane,
Cockshutt,
Conmee,
Costigan,
Crawford,
Crocket,
Cyr,
Daniel,
Delisle,
Demers,
Derbyshire,
Desjardins,
Devlin,
Dubeau,
Dugas,
Elson,
Emmerson,
Ethier,
Finlayson,
Fisher,
Fitzpatrick,
Fortier,
Galliher,
Gauvreau,
Geoffrion,
Girard,
Gladu,
Grant,
Gunn,
Guthrie,
Hall,
Harty,
Henderson,
Herron,
Hughes (King's, P.E.I.),
Hunt,
Jackson (Elgin),
Jackson (Selkirk),
Johnston
(Cape Breton, South),
Kennedy,
Lachance,
Lake,
Lalor,
Law,
LeBlanc,
Lemieux,
Lennox,
Macdonald,
Macdonell,
MacLaren,
Maclean (Lunenburg),
Macpherson,
McCarthy (Calgary),
McColl,
McCool,
McIntyre,
McIsaac,
McKenzie (Bruce),
McKenzie
(Cape Breton, N.),
McLennan,
Marcile (Bagot),
Marcil (Bonaventure),
Martin (Wellington),
Mayrand,
Meigs,
Miller,
Northrup,
Oliver,
Parmelee
Paterson
Parent
Perley
Piché
Pickup
Porter
Power
Préfontaine,
Proulx,
Ratz,
Riley,
Rivet,
Roche (Marquette),
Ross (Rimouski),
Ross (Yale-Cariboo),
Rousseau,
Schaffner,
Schell (Oxford),
Scott,
Sinclair,
Smith (Oxford),
Sproule,
Staples,
Talbot (Bellechasse),
Talbot (Strathcona),
Taylor,
Telford,
Thompson
Tobin,
Turgeon,
Turriff,
Walsh,
Wilmot,
Wilson
(Lennox & Addington)
Wilson (Russell),
Wright (Muskoka),
Wright (Renfrew),
Zimmerman.—140.

Amendment to the amendment (Mr. Bourassa) negatived.

House divided on amendment (Mr. Monk).

YEAS.

Messieurs

Bergeron,
Bourassa,
Lavergne (Montmagny),
Léonard,
Monk,
Morin,
Paquet.—7.

Sir WILFRID LAURIER.

NAYS:

Messieurs

Adamson,
Alcorn,
Archambault,
Barker,
Barr,
Beauparlant,
Béland,
Belcourt,
Bickerdike,
Black,
Blain,
Borden (Carleton),
Borden (Sir Frederick),
Bourbonnais,
Boyce,
Brabazon,
Brodeur,
Brown,
Bruneau,
Bureau,
Caldwell,
Calvert,
Campbell,
Carney,
Carrier,
Cash,
Chisholm,
Christie,
Cochrane,
Cockshutt,
Conmee,
Costigan,
Crawford,
Crocket,
Cyr,
Daniel,
Delisle,
Demers,
Derbyshire,
Desjardins,
Devlin,
Dubeau,
Dugas,
Elson,
Emmerson,
Ethier,
Finlayson,
Fisher,
Fitzpatrick,
Fortier,
Galliher,
Gauvreau,
Geoffrion,
Girard,
Gladu,
Grant,
Gunn,
Guthrie,
Hall,
Harty,
Henderson,
Herron,
Hughes (King's, P.E.I.),
Hunt,
Jackson (Elgin),
Jackson (Selkirk),
Johnston
(Cape Breton, South),
Kennedy,
Lachance,
Lake,
Lalor,
Lamont,
Lapointe,
Laurier (Sir Wilfrid),
Laurier (L'Assomption),
Lavergne
(Drummond & Ath.),
Law,
LeBlanc,
Lemieux,
Lennox,
Macdonald,
Macdonell,
MacLaren,
Maclean (Lunenburg),
Macpherson,
McCarthy (Calgary),
McColl,
McCool,
McIntyre,
McIsaac,
McKenzie (Bruce),
McKenzie
(Cape Breton, N.),
McLennan,
Marcile (Bagot),
Marcil (Bonaventure),
Martin (Wellington),
Mayrand,
Meigs,
Miller,
Northrup,
Oliver,
Parmelee
Paterson
Parent
Perley
Piché
Pickup
Porter
Power
Préfontaine,
Proulx,
Ratz,
Riley,
Rivet,
Roche (Marquette),
Ross (Rimouski),
Ross (Yale-Cariboo),
Rousseau,
Schaffner,
Schell (Oxford),
Scott,
Sinclair,
Smith (Oxford),
Sproule,
Staples,
Talbot (Bellechasse),
Talbot (Strathcona),
Taylor,
Telford,
Thompson
Tobin,
Turgeon,
Turriff,
Walsh,
Wilmot,
Wilson
(Lennox & Addington)
Wilson (Russell),
Wright (Muskoka),
Wright (Renfrew),
Zimmerman.—140.

Amendment (Mr. Monk) negatived.

Mr. LEONARD. (Translation,) moves :

1. That the Bill be not now read a third time but be recommitted to a committee of the whole House with an instruction that they have power to amend it, by adding the following as subsection 2 of section 2 :—

2. Such rights to separate schools and such educational privileges as are guaranteed or granted to the Catholic or the Protestant minority in the Northwest Territories, under chap. 50, of the Revised Statutes of Canada, shall be continued by this constitution to the minorities of the said provinces.

I do not deem it necessary, Mr. Speaker, to go again at any length over the grounds which I gave to the House last week to justify the passing of this amendment, but let it suffice to state that I intend to embody in the constitution of the two new provinces the provisions which I find in chap. 30 of the Revised Statutes of Canada, section 14.

Mr. BRODEUR. (Translation.) Mr. Speaker, I rise to a point of order. I call your attention to the fact that the hon. gentleman having seconded the motion of the hon. member from Jacques Cartier (Mr. Monk), he has no right to speak again to the motion.

The hon. member for Laval (Mr. Léonard) has already spoken on the motion of the hon. member for Jacques Cartier (Mr. Monk). He has no right to move an amendment, because he has already seconded a previous amendment.

Mr. SPEAKER. I think the point is well taken.

Mr. LEONARD. (Translation). I never spoke on the motion ; but in answer to the objection raised by the hon. minister, I may say that if my name has been given by the Speaker, as having seconded the motion, it was altogether without my knowledge.

Some hon. MEMBERS. Order.

Mr. SPEAKER. I think the point has been well taken. If the hon. member desires to appeal from the ruling of the chair of course, he may.

Mr. M. S. McCARTHY (Calgary). I have an amendment which I desire to make to the motion of the right hon. the First Minister (Sir Wilfrid Laurier) to read the Bill a third time. The motion which I propose to offer in amendment is similar to the one which I had the privilege of introducing when the matter was under discussion in the committee. The intention of that motion was that the distribution of the local seats in the province of Alberta should be referred to a commission of judges of the Supreme Court residing in that province. While this matter was being discussed in the committee I assigned then reasons which I had hoped would have induced the government to have looked at the proposal in a favourable light and to have referred this matter to a commission of judges. I do not propose to repeat the arguments that I then assigned or the reasons why I thought that this matter should be referred to a commission of judges. I therefore will move, seconded by Mr. Herron :

That all the words after 'now' to the end of the question be left out, and that the following words be inserted instead thereof :

Recommitted to a Committee of the Whole House with an instruction that they have power to strike out section 12 of the Bill and to substitute the following section therefor :

12. Until the said legislature otherwise provides the legislative assembly shall be composed of twenty-five members to be elected to represent the electoral divisions hereinafter mentioned.

(a) Such division shall be made by a board of commissioners consisting of at least three persons resident in the said province and being judges of the Supreme Court of the Northwest Territories who shall for that purpose be appointed by letters patent under the great seal immediately after the coming into force of this Act, and who shall divide the said province into twenty-five electoral divisions.

(b) The letters patent appointing the commissioners shall require the commissioners in making the divisions to have due regard to the distribution of population, the public convenience, the existing local divisions and such other considerations as appear to them best calculated to do substantial justice.

(c) In case of the death or resignation or refusal of any one or more of such commissioners to act a successor or successors shall in like manner be appointed ; and in the event of their being no resident judge or judges available any judge or judges of the said Supreme Court may be appointed such successor or successors.

(d) Within a time to be limited by the said letters patent the commissioners shall complete such divisions and report the same to the Lieutenant Governor of the said province setting forth in such report the boundaries of the electoral divisions to which such report refers, and the ranges, townships and sections comprised therein and shall assign an appropriate designation to each electoral division. Upon receipt by the Lieutenant Governor of the said province of the report of the commissioners completing the divisions aforesaid the respective territories described as constituting the respective electoral divisions into which the said province shall have been divided as aforesaid shall become and be the electoral divisions of the said province as if the same had been so set apart and established as such by this Act.

(e) The commissioners shall also within the said time limited forward a duplicate of their said report to the Secretary of State.

(f) The said report and the said duplicate thereof shall be signed by the commissioners or in case of a disagreement by the majority of them and the report of the majority of the commissioners shall be the report of the commissioners.

(g) The said report shall be published in the 'Canada Gazette' and in the 'Official Gazette' of the said province forthwith after the receipt thereof.

(h) The commissioners may frame rules and orders for regulating the conduct of their pro-

ceedings and generally for carrying into effect the provisions thereof.

(i) The letters patent appointing said commissioners shall confer upon them the power of summoning witnesses before them and of requiring such witnesses to give evidence on oath orally or in writing, or in solemn affirmation (if they are persons entitled to affirm in civil matters) and to produce such documents and things as the commissioners may deem requisite to the full investigation of the matters into which they are appointed to inquire and the commissioners shall have the same power and authority to enforce the attendance of witnesses and to compel them to give evidence as is vested in the Supreme Court of the Northwest Territories in civil cases.

House divided on amendment (Mr. M. S. McCarthy).

YEAS :

Messieurs

Alcorn,	Lennox,
Barker,	Leonard,
Barr,	Macdonell,
Bergeron,	MacLaren,
Blain,	McCarthy (Calgary),
Borden (Carleton),	Monk,
Boyce,	Morin,
Brabazon,	Northrup,
Chisholm,	Paquet,
Christie,	Perley,
Clements,	Porter,
Cochrane,	Roche (Marquette),
Cockshutt,	Schaffner,
Crocket,	Sproule,
Daniel,	Staples,
Elson,	Taylor,
Gunn,	Walsh,
Henderson,	Wilmot,
Herron,	Wilson (Lennox &
Jackson (Elgin),	Addington)
Lake,	Wright (Muskoka).—42.
Lalor,	

NAYS :

Messieurs

Adamson,	Kennedy,
Archambault,	Lachance,
Beauparlant,	Lamont,
Béland,	Laurier (Sir Wilfrid),
Belcourt,	Laurier (L'Assomption),
Bickerdike,	Lavergne (Drummond &
Black,	Arth.),
Borden (Sir Frederick),	Lavergne (Montmagny),
Bourassa,	Law,
Bourbonnais,	LeBlanc,
Brodeur,	Macdonald,
Brown,	Maclean (Lunenburg),
Bruneau,	Macpherson,
Bureau,	McColl,
Caldwell,	McCool,
Calvert,	McIntyre,
Campbell,	McIsaac,
Carney,	McKenzie (Bruce),
Carrier,	McLennan,
Cash,	Marcile (Bagot),
Conmee,	Marcil (Bonaventure),
Costigan,	Martin (Wellington),
Crawford,	Mayrand,
Cyr,	Meigs,
Delisle,	Miller,
Demers,	Oliver,
Derbyshire,	Parent,
Desjardins,	Piché,
Devlin,	Power,
Dubeau,	Préfontaine,
Dugas,	Proulx,
Emmerson,	Ratz,
Finlayson,	Riley,
Fisher,	Ross (Rimouski),
Fitzpatrick,	Ross (Yale-Cariboo),
Fortier,	Rousseau,
Galliher,	Schell (Oxford),
Gauvreau,	Scott,
Geoffrion,	Sinclair,
Girard,	Smith (Oxford),
Gladu,	Talbot (Bellechasse),
Grant,	Talbot (Strathcona),
Guthrie,	Telford,
Hall,	Tobin,
Hughes (King's, P.E.I.),	Turgeon,
Hunt,	Turriff,
Jackson (Selkirk),	Wilson (Russell),
Johnston (Cape Breton	Wright (Renfrew),
South),	Zimmerman.—97.

PAIRS :

Government.	Opposition.
Bole,	Ames,
Stewart,	Armstrong,
Burrows,	Avery,
Copp,	Bennett,
Dyment,	Bland,
McKenzie (Cape Breton),	Bristol,
Boyer,	Broder,
Clarke,	Clare,
Fielding,	Foster,
Findlay,	Fowler,
Gallery,	Forget,
German,	Ganong,
Gordon,	Clements,
Mulock,	White,
Harty,	Reid (Grenville),
Hyman,	Pringle,
Lemieux,	Tisdale,
Logan,	Lefurgey,
Lavoie,	McLean (P.E.I.),
Sloan,	Osler,
Parmelee,	Worthington,
Greenway,	Haggart,
Ethier,	Hughes (Victoria),
Laurence,	Ingram,
Sifton,	Kemp,
Lanctot,	Lancaster,
Loggie,	Lewis,
Paterson,	Maclean (York),
Smith (Nanaimo),	Martin (P.E.I.),
Gervais,	Stockton,
Watson.	Ward.

Amendment (Mr. M. S. McCarthy) negatived.

Mr. W. J. ROCHE (Marquette). I desire to move, seconded by Mr. Perley, the following amendment :

That all the words after 'now' to the end of the question be left out, and that the following words be inserted instead thereof :

Recommitted to a Committee of the Whole House with an instruction that they have power to strike out section 12 of the Bill and to substitute the following section therefor :

12. (1) Until the said legislature otherwise provides the legislative assembly shall be composed of twenty-five members to be elected to represent the electoral divisions hereinafter defined.

(2) The expression 'federal electoral district' where used in this section means an electoral district as established by and under the provisions of 3 Edward VII, chapter 60.

3. (a) The federal electoral district of Alberta shall be divided into five electoral divisions each of which shall return one member.

(b) That portion of the federal electoral district of Calgary comprised within the limits of the province of Alberta shall be divided into six electoral divisions each of which shall return one member.

(c) That portion of the federal electoral district of Strathcona comprised within the limits of the province of Alberta shall be divided into six electoral divisions each of which shall return one member.

(d) That portion of the federal electoral district of Edmonton comprised within the limits of the province of Alberta shall be divided into six electoral divisions each of which shall return one member.

(e) That portion of the provisional district of Assiniboia included within the limits of the province of Alberta and not included in any of the federal electoral districts above mentioned shall return one member.

(f) That portion of the unorganized territory of Athabaska which lies west of the 4th meridian shall return one member.

(4) Where under the foregoing provisions any federal electoral district is to be divided into more than one provincial electoral division such division shall be made by a board of commissioners consisting of at least three persons resident in the said province and being judges of the Supreme Court of the Northwest Territories who shall for that purpose be appointed by letters patent under the great seal immediately after the coming into force of this Act and who shall divide each such federal electoral districts into the number of electoral divisions in this Act assigned to it.

The letters patent appointing the commissioners shall require the commissioners in making the divisions to have due regard to the distribution of population, the public convenience the existing local divisions and such other considerations as appear to them best calculated to do substantial justice.

In case of the death or resignation or refusal of any one or more of such commissioners to act a successor or successors shall in like manner be appointed; and in the event of there being no resident judge or judges available any judge or judges of the said Supreme court may be appointed such successor or successors:

Within a time to be limited by the said letters patent the commissioners shall complete such divisions and report the same to the Lieutenant Governor of the said province setting forth in such report the boundaries of the electoral divisions to which such report refers and the ranges, townships and sections comprised therein and shall assign an appropriate designation to each electoral division. Upon receipt by the Lieutenant Governor of the said province of the report of the commissioners completing the divisions aforesaid the respective territories described as constituting the respective electoral divisions into which the said federal electoral districts shall have been divided as aforesaid shall become and be electoral divisions of the said province as if the same had been so set apart and established as such by this Act.

The commissioners shall also within the said time limited forward a duplicate of their said report to the Secretary of State.

The said report and the said duplicate thereof shall be signed by the commissioners, or in case of a disagreement, by a majority of them and the report of the majority of the commissioners shall be the report of the commissioners.

The said report shall be published in the 'Canada Gazette' and in the 'Official Gazette' of the said province forthwith after the receipt thereof.

The commissioners may frame rules and orders for regulating the conduct of their proceedings and generally for carrying into effect the provisions thereof.

The letters patent appointing said commissioners shall confer upon them the power of summoning witnesses before them and of requiring such witnesses to give evidence on oath, orally or in writing, or on solemn affirmation (if they are persons entitled to affirm in civil matters) and to produce such documents and things as the commissioners may deem requisite to the full investigation of the matters into which they are appointed to inquire and the commissioners shall have the same power and authority to enforce the attendance of witnesses and to compel them to give evidence as is vested in the Supreme Court of the Northwest Territories in civil cases.

Amendment (Mr. W. J. Roche) negatived on the same division last recorded.

Mr. R. S. LAKE (Qu'Appelle). I propose to move an amendment which, if adopted, would have the effect of granting to the new provinces the lands, mines, minerals within their boundaries. To give to the new provinces those rights and powers in regard to the public domain as are declared by the British North America Act to come within the exclusive jurisdiction of the provinces of the Dominion. I have already spoken at considerable length in advocacy of this principle, first on the second reading of the Bill and subsequently on more than one occasion when the Bill was in committee. I have nothing to add to the arguments which I then used. They are before the House and it is not necessary that I should repeat them. I believe that if the House refuses to accept this amendment and passes the Bill in its present form it will be doing a great wrong not only to the new provinces, but to the whole Dominion. The provincial ownership of the public domain is one of the basic principles of confederation; to disregard it and the other fundamental principles of the British North America Act is to undermine the whole structure of confederation and to lay up a store of trouble in the days to come. The struggle for provincial rights will only begin when this Bill comes into effect on the 1st September next, if it remains in its present form. The culmination of that struggle may not be reached this year or next year, but it must inevitably come some day in the future and it will be due to the action of this parliament if that struggle does injury to our common country. I said

in the first words that I uttered about this Bill that the action of Canada in dealing with what may be called her own colonies in the matter of self-government, would be watched with interest not only in the mother land but throughout the empire. Comparisons will be drawn between the treatment accorded to the north American colonies when they become self-governing colonies by Great Britain on the one hand and the treatment accorded to her new provinces by Canada on the other hand. Those comparisons will not be flattering to the Dominion parliament if the Bill goes through in its present form.

No satisfactory reason has been offered to this House for disregarding the clear and definite provisions of the British North America Act in regard to provincial ownership of the public domain. The arguments adduced by the Prime Minister and others in respect to this matter will not be regarded either by the country at large or by the new provinces as adequate or indeed even as quite worthy of the great principle involved. In the argument he used this afternoon surely the Minister of Justice did not intend to suggest, although his words sounded like it, that Canada had purchased from the Hudson Bay Company, through the medium of Great Britain, the absolute title to one-third of the North American continent for £300,000. That sum, as I understand it, was paid for the surrender to the Crown of certain claims and privileges which the Hudson Bay Company had over this vast area. The claims and privileges of the company being thus removed, the property itself was vested in the Dominion, the title being in the Crown. The very fact that Great Britain having thus procured a surrender of the Hudson Bay Company's rights over this area then handed it over to the administration of the Dominion of Canada with the evident view of its ultimate formation into provinces is the very strongest argument that could possibly be used that the Dominion should hand over the area comprised in the new provinces to the administration of those provinces. I hope that even at this stage it is not too late, and that the House will be induced to reverse the policy it has up to this time sanctioned. I beg to move, seconded by Dr. Schaffner :

That all the words after 'now' to the end of the question be left out and that the following words be inserted instead thereof :

Recommitted to a Committee of the Whole House with an instruction that they have power to strike out subsection 1 of section 20 of the Bill and to substitute the following therefor :

All lands, mines and minerals and royalties incident thereto situate or arising within the limits of the province and now vested in the Crown and all sums due or payable in respect of the same shall belong to the province subject to any trusts existing in respect thereof and to any interest other than that of the province in the same except those portions thereof now used or occupied for the public works, the public buildings or otherwise for the public service of Canada which are more fully set forth and enumerated in schedule 'C' to this Act and which shall continue to be the property of Canada.

Amendment (Mr. Lake) negatived on the same division, last recorded.

Mr. S. BARKER (Hamilton). I have an amendment to move. It is in the exact words of the amendment I moved last night in committee on the Saskatchewan Bill and I therefore do not intend to occupy the time of the House in reading it. I might say that its purport is to recite as the foundation for the action we are taking in constituting these provinces, not merely the Act of 1871 as the Bill does, but the British North America Act of 1867, the Act of 1871, the final Act of 1886, and also the Rupert's Land Act. Every one who has listened to this long debate must be aware that the very foundation of the constitution both of the Dominion and the various provinces is contained in the British North America Act, and although that is the case there is not a word in the preamble referring to that Act as the ground work of our action on this occasion. Without further remark I move, seconded by Mr. Henderson :

That the preamble be struck out, and that the following preamble be substituted therefor :

Whereas, in and by the British North America Act, 1867, being chapter 3 of the Acts of the parliament of the United Kingdom passed in the session thereof held in the thirtieth year of the reign of Her late Majesty Queen Victoria, it was, among other things, enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's most honourable Privy Council on an address from the Houses of parliament of Canada, to admit Rupert's Land and the Northwestern Territory into the union on such terms and conditions in each case as are in the addresses expressed and as the Queen should think fit to approve, subject to the provisions of the said Act ; and that the provisions of any Order in Council in that behalf should have effect as if they had been enacted by the parliament of the United Kingdom of Great Britain and Ireland.

And whereas in and by the Rupert's Land Act, 1868, of the parliament of the United Kingdom, it was, among other things, enacted that it should be competent to Her Majesty, by Order or Orders in Council, by and with the advice of Her Majesty's most honourable Privy Council, on address from the Houses of the parliament of Canada, to declare that Rupert's Land should from a date to be therein mentioned be admitted into and become part of the Dominion of Canada.

And whereas, pursuant to such powers and authority, and to such addresses, by and with the advice aforesaid, the Queen by Order in Council on the 23rd day of June, 1870, did order and declare that from and after the 15th day of July, 1870, the said territory should be admitted into and become part of the Dominion of Canada upon the terms and conditions set forth in schedule 'A' to the said Order in Council, and that the parliament of Canada should from the said date of admission have full power and au-

thority to legislate for the future welfare and good government of the said territory ; and it was thereby further ordered that, without prejudice to any obligations arising from an approved report therein recited, Rupert's Land should from and after the said 15th of July, 1870, be admitted into and become part of the Dominion of Canada upon the terms and conditions in that behalf in the said Order in Council also set forth.

And whereas, in and by the British North America Act, 1871, being chapter 28 of the Acts of the parliament of the United Kingdom passed in the session thereof held in the thirty-fourth and thirty-fifth years of the reign of Her late Majesty Queen Victoria, it is enacted that the parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provisions for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province and for its representation in the said parliament of Canada :

And whereas, in and by the British North America Act, 1886, being chapter 35 of the Acts of the parliament of the United Kingdom passed in the session thereof held in the forty-ninth and fiftieth years of the reign of Her said Majesty, the parliament of Canada was empowered to make provision for the representation in the Senate and House of Commons of Canada, of any territories which for the time being form part of the Dominion of Canada but are not included in any province thereof ; and it was thereby also enacted that the said Act, and the British North America Act, 1867, and the British North America Act, 1871, shall be construed together.

And whereas that part of the said land and territory hereinafter described has not been included in any province of the Dominion and has heretofore been provisionally governed by and pursuant to legislation of the parliament of Canada.

And whereas it is expedient to establish as a province that part of the said land and territory hereinafter described, and to make provision for the constitution and administration of such province and for the passing of laws for the peace, order and good government thereof and for its representation in the parliament of Canada.

Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

Amendment (Mr. Barker) negatived on the same division, last recorded.

On the question for the third reading of the Bill.

Mr. H. BOURASSA. I rise to offer a word of personal explanation and to give the reasons why I do not feel disposed to vote either for the third reading of the Bill or against it, so that I may not be accused of shirking the vote. My reason is this : I am in favour of the principle of the Bill; that is, I am in favour of giving the Northwest Territories their autonomy, but the Bill does not contain what in my opinion is a sufficient guarantee of the rights of the minorities that we are bound to protect, and therefore I cannot vote with those who are opposed to any kind of guarantee to the minorities, nor can I vote for a Bill which in my opinion does not give a sufficient measure of guarantee.

Mr. ARMAND LAVERGNE. Mr. Speaker, I suppose I shall not surprise any one in the House by saying that I take the same position as the hon. member for Labelle. I therefore leave the House before the vote is taken.

Motion agreed to, and Bill read the third time, on division, and passed.

Sir WILFRID LAURIER moved third reading of Bill (No. 70) to establish and provide for the government of the province of Saskatchewan.

Mr. SCOTT. Mr. Speaker, before this motion passes I would ask the House to allow me to occupy a few minutes further on the subject of the Canadian Pacific Railway exemption. I have no hope, after the reception that was given to the amendment I moved this afternoon, that I shall succeed with a similar amendment moved to the Saskatchewan Bill, but I feel that I would not be doing my full duty to the proposed province in which I live, and to the electors in that proposed province which I have the honour to represent, if I did not utter on this motion a further word of protest with regard to this feature of the measure; and I do this notwithstanding that I am probably bringing again upon myself the severe disapprobation of the hon. leader of the opposition. In face of the fact that that hon. gentleman has for three or four months been responsible for a waste of the time of this parliament, and responsible for a great deal of disturbance throughout the Dominion of Canada upon these autonomy measures, he rises to censure a representative from the Northwest Territories who has the hardihood to ask the House to listen for thirty or forty minutes to a protest with regard to a limitation on the autonomy proposed to be given to the people of these two provinces, which is a very serious matter in comparison with the comparatively trifling matter that he is responsible for causing to be discussed at such great length and disturbing the country to such an extent. The hon. leader of the opposition said that the words I used in my amendment were meaningless—that the power of expropriation was inherently in this parliament, and that, therefore, it was meaningless to put in this Act words giving notice to the people of these provinces and to the Canadian Pacific Railway Company that this parliament intends to exercise its inherent powers of expropriation if it were not able by some other means to obtain the relinquishment of these exemptions.

Mr. LALOR. What construction did the hon. gentleman's leader put upon the resolution?

Mr. SCOTT. I would ask my hon. friend what construction he places on the amendment proposed by the hon. leader of the opposition this afternoon when he proposed to strike out section 16 and substitute this:

> The provisions of section 93 of the British North America Act, 1867, shall apply to the said province in so far as the same are applicable under the terms thereof.

What is the meaning of that?

Mr. LALOR. May I ask the hon. gentleman if that is the way he answers a question—by asking another?

Mr. SCOTT. I venture to say that my hon. friend cannot tell me, nor can the hon. leader of the opposition himself tell me what that means. It means about the same thing as the amendment he proposed formerly in relation to education. The hon. leader of the opposition admitted, when the hon. Minister of Inland Revenue questioned him on the floor of the House of Commons, that he did not know how it would work out, and that he did not know what it meant. Does the hon. leader of the opposition think when he speaks before the people of this country and before the members of this House that he is speaking to children? Let him go to the head of the Canadian Pacific Railway or to the head of the Canadian Northern Railway and ask these gentlemen if they think these words specifying the intention of parliament to exercise its inherent power of expropriation do not mean anything.

Mr. HENDERSON. I rise to a point of order. I submit that the hon. gentleman has no right to refer to a previous debate.

Mr. SCOTT. I propose, Mr. Speaker, to move an amendment, and I trust I am not out of order in discussing the amendment which I propose to move. It concerns the Canada Pacific Railway exemption feature and the inherent right of expropriation possessed by this parliament with regard to that exemption feature. I was proceeding to remind the House that a couple of years ago we granted certain rights to the Canadian Northern Railway, and it was proposed at that time that it should be specified in the Bill that parliament retained the right to expropriate. I can tell the hon. leader of the opposition that Mr. Willilam Mackenzie, the president of the Canadian Northern Railway, did not think these words meaningless, because he opposed the proposition strenuously, and whenever the same proposition has been made with regard to a railway which is being chartered, it has been opposed by the promoters of the charter. It is not so long ago that discussion took place in this House on the Grand Trunk Pacific proposition, and if my memory serves me rightly, we had an amendment moved on the other side of the House that the Bill should specify that under such and such conditions parliament would expropriate the undertaking. Am I stating the fact correctly? I put that squarely to the hon. leader of the opposition. Silence, I suppose, gives consent; but we may as well have the actual proof. On May 26, 1904, the hon. leader of the opposition summarized certain resolutions which he had in the previous months presented to this House with regard to the Grand Trunk Pacific proposition. Some of these amendments, I suppose, were not entirely meaningless, but so many were presented that I venture to say that no single person in the whole of Canada can tell at this moment whether the hon. leader of the opposition faced north, south, east or west on the Grand Trunk Pacific question. Here is what the hon. gentleman said on May 26, 1904, as found at page 3558 of 'Hansard':

> We then moved an amendment that if the Grand Trunk Pacific should exercise its right to force on the government any unprofitable branches at the end of fifty years, the government might take all or any of the remaining branches. In this way we desired to prevent this country being placed in the position of having to take and operate unprofitable branches without having the option of controlling the situation by taking also all the branches this company might find profitable.

That surely was a meaningless proposition, because parliament had the inherent right of expropriation. The hon. gentleman was needlessly taking up the time of parliament when he discussed that proposition at great length.

> We further moved that the government should have haulage rights and running powers over the western division for the same period granted to the company over the eastern division. Both these amendments were rejected.
>
> Then we proposed that the government should be empowered to expropriate the railways from ocean to ocean, upon paying fair compensation, and in addition we moved a further amendment empowering the government to do so in case these railways should not carry out the true intent of the agreement, or should combine or conspire to divert traffic to foreign ports.

By the vehicle of these words of his own I hand back to the leader of the opposition all the criticism and sarcasm which he applied to the proposition I took the responsibility of presenting to the House this afternoon. What was the main purpose of the remarks of the hon. gentleman and what has been the main purpose of many of the remarks of the hon. gentlemen opposite with regard to members from the Northwest Territories sitting behind the government? From day to day, by means of sneers and other references, they have attempted to lead the country to believe that the Liberal members from the Territories have been entirely dominated by the government and ready at any moment to sacrifice the interests of the Territories.

Some hon. MEMBERS. Hear, hear.

Mr. SCOTT. My hon. friends opposite applaud the remark. I am, therefore, giving an accurate discription of what they have attempted. We had some reference here a few days ago to a Northwest conference called by Mr. Haultain and to the matters discussed there. I proposed a motion at that conference with regard to the redistribution schedules. The hon. member for Alberta (Mr. Herron) arose here and declared that the motion made by me was not as I stated, but was that we should hold out together to get our land and minerals for the new provinces.

Mr. HERRON. I state now that you did make that statement, and it is the only statement that you have made.

Mr. SCOTT. I state now deliberately to my hon. friend that the matter of lands was not discussed at that conference at all, and I say it in the hearing of several gentlemen who were present. There were three conferences in all. The hon. member for Qu'Appelle (Mr. Lake) attended the first two, but was not present at the third, and the matter of lands was not mentioned at the third conference concerning which we had the discussion on this floor. I tell the hon. gentleman now that there never was any such motion made at any of the three conferences.

Mr. HERRON. I repeat positively what I have said.

Mr. SCOTT. Regardless of what my hon. friend says, I say that no such motion was presented at any conference.

Mr. HERRON. And I reiterate my statement.

Mr. SCOTT. I will tell the hon. gentleman more, if he wants to know it, about those conferences. We had three altogether. It has been already explained that the invitation was issued by Mr. Haultain to all the Northwest members to attend conferences at Ottawa and a part of that invitation reads as follows :

> My colleagues and I are very anxious to have the co-oporation of the Senators and members from the Territories at the very outset of these negotiations with a view to, if possible, presenting a case for the Territories which in its broader features, at least, shall be approved by all the Northwest representatives.

I ask any of the hon. gentlemen opposite who were present at these conferences if he ever heard any mention by Mr. Haultain or any one else at any of them with regard to the subject of education. Let them say yes or no, here and now. Did Mr. Haultain bring up the subject of education ? Was that one of the large and broad subjects which we were brought together to discuss ? I say that the subject was never mentioned. In that fact alone we have the complete proof that the Northwest government and the Northwest people generally were not asking for any change in their educational constitution.

Mr. LALOR. Does the hon. gentleman make the statement that Mr. Haultain called the conference ?

Mr. SCOTT. Yes.

Mr. LALOR. Did you not make the statement on a previous occasion in this House that it was the Prime Minister who called this conference ?

Mr. SCOTT. My hon. friend is quite mistaken. The Prime Minister suggested to Mr. Haultain that he should furnish to the government the schedules of redistribution, and Mr. Haultain called a third conference partly for the purpose of getting assistance from the Northwest members and senators generally with regard to redistribution and two or three other matters. I repeat that no motion was made at any conference as is described by the hon. member for Alberta (Mr. Herron) either by myself, himself or by the hon. member for Qu'Appelle (Mr. Lake) or by Mr. Haultain to the effect that we should stand out for the absolute transfer of our public lands. What I did at that conference however, was to attempt to get it to take the position—not by motion, but by suggestion ; and that is doubtless what has misled the hon. member for Alberta—that we should unitedly and resolutely stand out for the principle that the public lands belong to the people of the Territories and that we should have their actual transfer or a fair price.

Mr. HERRON. The hon. gentleman has acknowledged just now that he was wrong.

Mr. SCOTT. It is my hon. friend who admits the mistake. I suggested that we should unitedly take the position, and hold to it resolutely, that the lands were ours, and that we should get an actual transfer of them or a fair price. And in my opinion, and in that of the majority of the people of he Northwest, even of Mr. Haultain himself—because he has said so in a public letter—we have got a fair price for the lands. Let me say to hon. gentlemen opposite, from their leader down, that in view of the history of the last two years with regard to the subject of autonomy, it does not lie in the mouth of any Conservative anywhere in the Dominion to charge any Northwest Liberal——

Some hon. MEMBERS. Oh, oh.

Mr. SCOTT. Let my hon. friends be patient and I will give them plenty of proof. I say it does not lie in their mouths to charge any Northwest Liberal with a willingness to sacrifice any Northwest local interest at the behest of any party leader. The hon. member for Qu'Appelle (Mr. Lake) knows very well to what I am referring. He and I and the Liberals and many Con-

servatives in the Territories up to two years ago were of the belief that, in view of early autonomy negotiations entered into with the Ottawa government, it was essential that the people of the Territories should be united and not have party divisions in their local affairs, so that we might come down as one man, with the whole strength of a united people, in the presentation of our case to the government here. I think I am stating the thing fairly. But what has occurred in the last two years? At the instigation of the hon. the leader of the opposition, the Conservatives of the Territories were called into convention in April, 1903, at Moosejaw, for the purpose of reorganizing for the next federal election. What was one of the most important actions taken by that convention?

Some hon. MEMBERS. Question, question.

Mr. SCOTT. These hon. gentlemen are getting a little tired of the subject.

Mr. GALLIHER. Take your medicine.

Mr. SCOTT. One of the most important resolutions adopted at that convention called for the purpose of reorganizing for the next federal election was this:

> That in furtherance of the objects of this convention be it resolved, that Conservative candidates as such be placed in nomination in every constituency, at the next general election of members to the legislative assembly of the Northwest Territories, and kept in the field till the close of the polls.

Since the moment of the passing of that resolution, since the moment of the holding of that Moosejaw convention, Mr. Haultain and his Conservative friends in the legislature—of whom my hon. friend was one—have been dominated in their management of local affairs by considerations of federal party interest.

Mr. LAKE. I deny that statement, so far as I am concerned.

Mr. SCOTT. My hon. friend (Mr. Lake) will have a good deal of trouble to successfully deny it in the Territories. We had the matter of the capital advance. Mr. Haultain stated that on certain conditions he wanted the capital advance—that on certain conditions he would be satisfied to have it. And on these conditions it was granted. Is that not true? It was granted on the very conditions that he himself had set out. I make the statement to my hon. friend from Qu'Appelle (Mr. Lake) that on the first day of the meeting of the succeeding legislature in the fall of 1903, he told a man in Regina that the capital advance was not going to be accepted. I make the further statement that Mr. Haultain did not disclose to his Liberal supporters in the legislature, until practically the closing week of the session the fact that the capital advance was not going to be accepted.

Mr. SCOTT.

Mr. LAKE. I have no knowledge of that.

Mr. SCOTT. I will give my hon. friend (Mr. Lake), privately, information that will recall it to his memory. I do not wish to mention publicly here the name; but I will give my hon. friend privately the name of the gentleman to whom he gave that information on the first day of the sitting. And it was three weeks later before the Liberal supporters of Mr. Haultain were told by Mr. Haultain that he did not intend to accept the capital advance. And my hon. friend (Mr. Lake) knows perfectly well—I know he knows—that over that capital advance matter the unity which had prevailed in the assembly was very nearly broken; and if it was not broken it was not because of any excessive desire on the part of these Conservatives, or on the part of my hon. friend, or on the part of Mr. Haultain, that means should be taken to preserve it. Any sacrifice that was made was made by the Liberals in the Assembly, and to preserve that unity in local affairs that was so important, the Northwest Liberals have for two years past been putting up with slights and humiliation and insult, —having their every confidence abused, their every action mis-used,—they have been feeling the knife of the traitor in every way. But, for the purpose of preserving the unity that they considered essential for the presentation of the autonomy matter to this government and to this parliament, they put up with this kind of thing. But, Mr. Speaker, thank God, that condition need no longer continue.

Some hon. MEMBERS. Oh, oh.

Mr. SCOTT. The autonomy matter is now settled, and the question is removed from the field of controversy. It no longer furnishes a reason for that sort of party self-sacrifice, and from this time forward the Liberals of Saskatchewan will not find their party interests conflicting with the interests of the province.

Mr. BOYCE. I ask that the motion before the House be read.

Mr. SPEAKER. Any hon. member has the right to ask that the motion be read, but not so as to interrupt the hon. gentleman who is speaking.

Mr. SCOTT. So much for that, at all events. The leader of the opposition (Mr. R. L. Borden) declares that the amendment I moved this afternoon is meaningless. It is no more so than is section 23 itself. Does the hon. gentleman say that section 23 in this Bill has any meaning; that the Bill will have any different effect whether section 23 is retained or is left out of the Bill? That is a fair question. Will the taxing power of the province be the same if section 23 were not in the Bill as it will be with the section in the Bill? My

hon. friend the leader of the opposition is not prepared to answer that question.

An hon. MEMBER. No.

Mr. SCOTT. Evidently not. Well, in my own opinion, section 23 in these Bills means absolutely nothing—or at all events very little. But I say that if section 23 is put in the Bill, then it is fair, it is right, it is imperative that further notice be put in the Bill that parliament intends, as the Prime Minister says, to negotiate the surrender of these exemption rights from the company—that further notice be put in the Bill, so that the provinces, the people of Canada and the railway company will understand that parliament, at some future day will take away these rights by expropriation or by negotiation. But, as I have had no success with the amendment which I moved to the Alberta Bill, it is useless to repeat that proposal. I beg with regard to this Saskatchewan Bill to move :

That all the words after 'now' be struck out and the following inserted :

That the Bill (No. 70) be recommitted to Committee of the Whole House with instructions to expunge section 23 thereof.

Mr. DAVID HENDERSON (Halton). I only desire to say that I have no sympathy with any motion in this House that has for its purpose the violation of a solemn compact made many years ago by the parliament of Canada. Therefore, I cannot recognize in any form the motion that has been moved by the hon. gentleman (Mr. Scott). I do not believe for a moment that this parliament will stultify itself by accepting the amendment the hon. gentleman (Mr. Scott) has presented and so violating a sacred contract made many years ago.

Mr. W. A. GALLIHER (Kootenay). I fully agree with the hon. member for Halton (Mr. Henderson) that this government and this parliament should hold sacred the contracts made with the former government and parliament by any party or corporation. But, as I stated this afternoon—and I do not intend to repeat my remarks—I contend that if the government in 1881 had power to make this contract and to pass that law, there is no necessity for this section in the Act, for that law would apply, and it cannot be overridden by local legislation afterwards. On the other hand, if this law was ultra vires the parliament of Canada in 1881, then this parliament is not called upon to confirm any portion of a contract that was ultra vires of parliament when it was made. There is a vast difference between carrying out a contract made with a former parliament which contract was within the powers of that parliament, and carrying out a portion of a contract made that was not within the powers of parliament. If it was within the power of parliament to make it, then the rights of the other party will be safe in any case, whether section 23 is put in or not. And if it is not within their power, it is no part of the duty of this parliament, or any other, to carry out an arrangement which was ultra vires of the authority that made it. For these reasons I support the motion of my hon. friend (Mr. Scott).

Sir WILFRID LAURIER (Prime Minister). There is absolutely nothing new in this question, which was discussed fully in committee. And, for the same reasons that I gave my hon. friend (Mr. Scott) before, I must tell him that we cannot accept this motion.

Mr. R. L. BORDEN. The hon. member for West Assiniboia (Mr. Scott) has covered a very wide range in his speech, including the convention in the Northwest Territories, Mr. Haultain's secrecy as to capital advances, the conferences held between members from the Northwest Territories during the recent session, besides formulating a number of questions, which no one, himself included, seemed able to answer, with regard to certain alleged opinions of the president of the Canadian Northern Railway. These questions seemed to be particularly irrelevant to the matter we have been discussing this evening. The hon. gentleman (Mr. Scott) says this is a serious matter. It certainly is a serious matter, but he did not treat it in a serious way. It is a serious matter. But any one who looks over the volume of 'Hansard' during the last four or five years and observes the gyrations the hon. gentleman has indulged in on this question can form a pretty good opinion as to how serious he is in taking up the time of the House in discussing it at this stage.

Look at his motion as he defines it, a motion in respect of which he has taken up 40 minutes of the time of this House. He says that section 23 means nothing, therefore he takes 40 minutes to ask us to strike it out. If it means nothing then striking it out means nothing. That is the position of the hon. gentleman according to his own statement. That is his own definition of the position which he occupies in taking up the time of the House to-night. If it means anything at all it means that a right which has been made with the Crown, confirmed by the parliament of this country in 1881, may be taken away without compensation. If it has any meaning at all I would suppose it to mean that, or that it was an attempt to accomplish that result. I do not know what the hon. member for Kootenay (Mr. Galliher) means by discussing the question as to whether it was within the competence of the government to make this agreement in 1881.

Mr. GALLIHER. If it was not within the competence of the government to make it we did not need this section, because that right will pass on to them notwithstanding

that they are formed into provinces ; and if it was not within the right of this government to make such an agreement, then I raised the question whether it was incumbent upon us to carry out the contract.

Mr. R. L. BORDEN. It is not a question of their right to make a contract, it is a question of the effect of a contract when made, it is a question as to whether the government of this country, by virtue of an Act of parliament passed in 1881, can make a contract which shall have effect in the Territories after they are created into provinces. I suppose that is what the hon. gentleman means. I have already expressed my opinion with regard to that, but the hon. member for Assiniboia (Mr. Scott) does not seem to be able to understand it. I have expressed in committee the view which I entertain with regard to it. I say the contract is binding upon the Crown because it was ratified by parliament. The question of legislative jurisdiction respecting Dominion taxation remains in the parliament of Canada ; the jurisdiction over provincial taxation goes to the provinces. But in both cases there is a contract to be observed, and neither in the one case or the other could the parliament or legislature properly interfere without compensation. That is the situation as I regard it. But however that may be, the motion of the hon. member for Assiniboia does not commend itself to my judgment because it does not accomplish what, after all, I presume, he wishes to accomplish. He referred to a provision for expropriation which we proposed to introduce into the National Transcontinental contract. We were not doing what he is doing now, or what he did this afternoon. We prepared a clause providing for and authorizing expropriation and stating the terms of it. The hon. gentleman has done nothing of the kind. If he had made any such motion as that with regard to section 23, or introduced it by an independent Bill, I could understand it ; but his motion this afternoon was obviously meaningless for the reason I have stated.

Mr. SCOTT. It was open to the hon. gentleman to help improve it.

Mr. R. L. BORDEN. Well, there are some motions conceived and framed in such a form that no human agency could possibly improve them. The hon. gentleman has apparently accomplished that result in this case. If expropriation is desired, the parliament of Canada can act in the future, and with all deference to my hon. friend the Minister of Justice, I think the legislature of the province can act also in respect to exemption from provincial taxation. But neither the motion which the hon. gentleman proposed this afternoon nor the motion which he proposes now seems to me to deal with the matter in the way in which it should be dealt with. If his motion means nothing, because it strikes out something which means nothing, surely that does not improve the situation. If his motion means to disregard a contract into which the government of this country entered in 1881, his motion means something, but it means something with which I certainly cannot agree.

Mr. SCOTT. In the hon. gentleman's opinion, does section 23 mean anything ? Does it change the situation ?

Mr. R. L. BORDEN. It is a notice to the provinces of this contract, it has at least that operation ; and it is proper that at least the provinces should be notified of a contract into which the Crown has entered, and in respect of which the action of the Crown has been ratified by parliament.

Mr. SCOTT. Is there or is there not a possibility that by leaving out section 23 the provinces might be free to tax ?

Mr. R. L. BORDEN. That the provinces might be free to tax—I would not think that would improve the situation at all, because even if by inadvertence a provision of that kind were left out of the constitution and an attempt were made to expropriate without compensation that which was a vested right in either the Canadian Pacific Railway or any other corporation, surely the hon. gentleman knows that over and over again the executive of Canada has been called upon to disallow provincial legislation in cases of that kind.

Mr. GALLIHER. Would not the question whether that was a vested right or not, depend upon the question whether parliament in 1881 had power to legislate beyond to the time when these Territories were formed into provinces ?

Mr. R. L. BORDEN. The parliament of Canada at that time was the only parliament that had power to enact this legislation. But if the hon. gentleman believes what he says he does to-night, does he not recognize that he has been voting against his conscientious convictions on section 16 of the Bill ? If he does not recognize that, then it is useless for me to argue with him.

Mr. GALLIHER. Argument of that kind is no answer to a legal question.

Mr. R. L. BORDEN. Well, it would seem to me to be very much an answer.

Mr. GALLIHER. Supposing even I was wrong, would that strengthen my hon. friend's argument ?

Mr. R. L. BORDEN. The hon. gentleman, on clause 16, has taken the position that the parliament of Canada in 1875 could deal with a similar matter, and that there was an obligation on us in future for all time to be governed by that provision. He has distinctly taken that position, if he has taken any position at all. On the other hand

where we have not any such shadowy or vague understanding as was relied upon for clause 16, but where there is a distinct, binding agreement made by the Crown at a time when these provinces were Territories, he denies that parliament has any right to legislate. He says that in the one case there is an absolute obligation in 1905 to continue legislation with regard to the schools, but there is not any obligation whatever to continue the contract made with regard to this tax exemption.

Mr. GALLIHER. I have not argued that it was ultra vires of the parliament in 1881 to make this law and to enter into this contract. But I say that if it was within their power to do so, that right goes on, and we can absolutely leave that alone and dispense with section 23 entirely.

Mr. R. L. BORDEN. I am afraid that I cannot appreciate or even understand my hon. friend's argument when he talks about this contract being ultra vires, a contract ratified by the parliament of Canada in 1881, when this parliament had the absolute right to deal with the Territories. I am not able to follow that.

Mr. FITZPATRICK. My hon. friend (Mr. Galliher) means to say, I think, that in 1881 we had power, but when these Territories became provinces then that power would be restricted.

Mr. R. L. BORDEN. It is a sufficient answer to say that the legislation which we are passing in clause 23 cannot have a greater operation than that which we passed in 1881. It seems to me that if it is ultra vires in the one case it necessarily follows that it is ultra vires in the other case.

Mr. GALLIHER. I think not.

Mr. R. L. BORDEN. Well, that is my argument at all events.

Mr. GALLIHER. I think not for the reason that by the virtue of the British North America Act the provinces are entitled to absolute control in regard to taxation, but we are limiting that control of taxation by this section 23. At the time we are granting them powers as provinces we are limiting the power of taxation by section 23 which says that it shall be subject to the existing agreement.

Mr. R. L. BORDEN. Well, I do not see the distinction of the hon. gentleman. Perhaps he can see it; I do not. It seems to me that the parliament of the Dominion in 1881 had the absolute right to deal with this contract in respect to a railway running through the Territories which were subject absolutely to the legislative jurisdiction of Canada.

Mr. GALLIHER. That may be true.

Mr. R. L. BORDEN. The hon. gentleman says that we have not the right to limit the constitution of these new provinces

Mr. GALLIHER. I do not say that at all.

Mr. R. L. BORDEN. Well, I do not know what the hon. gentleman does say then.

Mr. GALLIHER. I have not said that the parliament of Canada had not the right to make the law in 1881. If they had the right to make that law the instant that these Territories became provinces that right passes without this section 23 of this Act.

Mr. R. L. BORDEN. Very good. Then, in that view section 23 is absolutely harmless.

Mr. GALLIHER. Not harmless, because I say that by section 23 we are going further now. We are forming these Territories into provinces by this Act. We are giving them the right to exercise the power of taxation, but we are limiting that right by section 23.

Mr. R. L. BORDEN. Well, the hon. gentleman will have to be content with his own opinion. It seems to me to be absolutely clear that we had the right to make that contract in 1881. It became a contract binding upon the Crown in the right of the people of Canada and that binds the Dominion and the provinces after the Territories have been created into provinces. On the very lowest position that can be taken it is proper to insert in his Bill a notice to the provinces of the contract so entered into by the Crown ratified by parliament at a time when parliament had power so to legislate. I do not want to take up the time of the House, because this is a matter between the hon. member for Western Assiniboia, the right hon. Prime Minister and the Minister of Justice. I am not responsible for section 23. I think it is right to give notice to these provinces, but after all the Minister of Justice is responsible for this measure as he is responsible for a similar clause in the Bill in regard to the Hudson Bay Company. I have stated my view as to what should be done. The contract should be observed. There should be no expropriation without compensation. I think upon that we can all agree. It seems to me, as I have stated over and over again, that the right of the Dominion to legislate and the right of the provinces to legislate within their respective spheres of jurisdiction continue subject to the contract in both cases. I might, in conclusion, refer the hon. member for West Assiniboia (Mr. Scott) to some language of his upon a motion in regard to this same tax exemption which was introduced in 1901. The hon. gentleman then said:

> If I thought this resolution would do the slightest good, I would vote for it.

It was a resolution declaring that in the opinion of parliament the tax exemption of the Canadian Pacific Railway should extend only to a period of 20 years. The hon. member for West Assiniboia said :

> If I thought this resolution would do the slightest good, I would vote for it.
>
> Mr. MACLEAN. It will not do any harm if you vote for it.
>
> Mr. SCOTT. It might not directly, but indirectly it would be an encouragement to hon. gentlemen to come forward with demagogic and buncombe resolutions, and I do not propose to encourage anything of the kind. I do not think there will be any practical value in the House declaring for this resolution and shall, therefore, vote against it.

I would say to my hon. friend that I do not see any good whatever in either of the resolutions which he has moved to-day. I refer him to his word which I have quoted. If I was a little warm in any of my expressions this afternoon I trust he will understand that I did not intend to be offensive to him in any way. I do not think either of his resolutions has the merit of being practical. As far as this one is concerned I shall vote against it with the same goodwill as I voted against the one he moved this afternoon.

Mr. TAYLOR. Mr. Speaker, the opposition intended to assist the government in every way they could in passing these two Bills before the early hours of the morning. But the hon. member for West Assiniboia occupied an hour and twenty minutes this afternoon and 40 minutes more to-night with speeches and with resolutions similar to one moved by my hon. friend from South York (Mr. W. F. Maclean) a few years ago on this very same question which the hon. gentleman (Mr. Scott) then characterized as a buncombe resolution. But I only intend to deal with one of the many reckless statements that he made this afternoon. He made the statement that the Liberal party had always been in favour of building the Canadian Pacific Railway through the Northwest. Does he know the history of the Liberal party in regard to the building of that railway that created that country and made something of it? A contract was made by the Conservative government previous to 1873 to build that railway, but by the opposition then offered in the House, the government of the late lamented Sir John A. Macdonald were driven from power on account of having entered into that contract. The Liberals came into office. Did they make a contract to build that railway or did they attempt to build that railway? They attempted to use the water stretches and to connect Port Arthur with Winnipeg by a part water and part rail route. They built the Fort Francis lock, squandered a lot of money, but did not do anything towards the building of the railway. Then the Conservative party came in again; they entered into negotiations, and in 1881 this contract was made. The Canadian Pacific Railway, under the contract, spent millions and millions of money in attempting to construct the railway in that country. When tney had spent the last dollar they had and when they had exhausted the last dollar of credit they could obtain owing to the opposition of the Liberal party and of the Grand Trunk Railway Company, they came down to this parliament and asked for a loan of $30,000,000 to save them from going into bankruptcy. If they had gone into bankruptcy, what would be the position of the Northwest Territories to-day? The government of that day said: We will assist you, we will grant you a loan of $30,000,000 and take ample security. The hon. member for Western Assiniboia to-day quoted the words of Mr. Blake, Mr. Ross and Sir Richard Cartwright. What did these gentlemen say? They said that if this railway were ever built it would not earn enough to pay for the axle grease, and every Liberal in the House at that time—and there are a few of them left, as there are only a few on this side of the House who supported that measure—opposed the granting of this assistance. The supporters of the government of that day stood up and voted in favour of loaning the Canadian Pacific Railway $30,000,000, because, notwithstanding the fact that under the contract they had the lands and they had the exemption from taxation that my hon. friend is now complaining about, they could not raise a dollar to go on and complete the road. Yet, the hon. gentleman makes the reckless statement that the Liberal party were always in favour of building this road. A few Conservatives who are here now were in the House then and they stood up and voted to loan the Canadian Pacific Railway $30,000,000. The measure was carried notwithstanding the opposition of every Liberal in the House at that time, and there are only a few of them left. We loaned them $30,000,000; the road was completed; the company paid back the $30,000,000, and yet the hon. member for West Assiniboia will say that the Liberal party were always in favour of building the road.

Mr. COCHRANE. Did he say that?

Mr. TAYLOR. He did say it this afternoon. He had the assumption to make a statement of that kind. There are many of us in the House to-day who know that the Hon. G. W. Ross, when the hon. gentleman quoted against the Canadian Pacific Railway, was man enough to get up and say in recent years that he had opposed the Canadian Pacific Railway at every stage, but he regretted he had ever done so, and he withdrew every statement he ever made against it. It is not so with the other Liberals who opposed the construction of the Canadian Pacific Railway and who now try to get credit for building it and making that western country what it is. Why, the hon. gentleman (Mr. Scott) would have no country were it not for the policy

of the Conservative party in these days. Now, Mr. Speaker, it is evident that hon. gentlemen opposite do not want to transact public business when one of them occupies two hours time talking about nothing. The opposition here were anxious to facilitate the despatch of business, but these gentlemen opposite seem to want delay and I therefore move that the House adjourn so that we may get out of this heated atmosphere.

Some hon. MEMBERS. Withdraw.

Mr. TAYLOR. I will withdraw if the supporters of the government keep quiet and allow business to be transacted.

Motion to adjourn the House (Mr. Taylor) withdrawn.

House divided on amendment (Mr. Scott).

YEAS:

Messieurs

Adamson, Cash, Galliher, Herron, Lake, Lamont, Schaffner, Scott, Staples, Talbot (Strathcona), Turriff.—11.

NAYS:

Messieurs

Alcorn, Archambault, Barker, Barr, Beauparlant, Béland, Belcourt, Bergeron, Bickerdike, Blain, Borden (Carleton), Borden (Sir Frederick), Bourassa, Bourbonnais, Boyce, Brabazon, Brodeur, Bruneau, Bureau, Caldwell, Calvert, Campbell, Carney, Carrier, Christie, Cochrane, Cockshutt, Conmee, Costigan, Crawford, Crocket, Cyr, Daniel, Delisle, Demers, Derbyshire, Desjardins, Devlin, Dubeau, Dugas, Elson, Emmerson, Ethier, Fisher, Fitzpatrick, Fortier, Gauvreau, Geoffrion, Girard, Gladu, Grant, Gunn, Guthrie, Hall, Harty, Henderson, Hughes (King's, P.E.I.), Hunt, Jackson (Elgin), Jackson (Selkirk), Johnston (Cape Breton, South) Kennedy, Lachance, Lalor, Lapointe, Laurier (Sir Wilfrid), Laurier (L'Assomption), Lavergne (Drummond and Arth.) Lavergne (Montmagny), Law, LeBlanc, Lennox, Léonard, Macdonald, Macdonell, MacLaren, Maclean (Lunenburg), Macpherson, McCarthy (Calgary), McCool, McIntyre, McIsaac, McKenzie (Bruce), McKenzie (Cape Breton, N.), Marcile (Bagot), Marcil (Bonaventure), Martin (Wellington), Mayrand, Miller, Monk, Morin, Northrup, Oliver, Parmelee, Paterson, Paquet, Parent, Perley, Piché, Pickup, Porter, Power, Préfontaine, Proulx, Riley, Rivet, Roche (Marquette), Ross (Rimouski), Ross (Yale-Cariboo), Rousseau, Schell (Oxford), Sinclair, Smith (Oxford), Sproule, Talbot (Bellechasse), Taylor, Telford, Tobin, Turgeon, Walsh, Wilmot, Wilson (Lennox & Addington) Wilson (Russell), Wright (Muskoka), Wright (Renfrew), Zimmerman.—126.

Mr. J. E. LEONARD (Laval). (Translation). Moves:

1. That this Bill be not now read a third time but he recommitted to a Committee of the Whole House with an instruction that they have the power to amend it by adding the following as subsection 2 to section 2:—

2. Such right to separate schools and such educational privileges as are guaranteed to the Catholic or to the Protestant minority of the Northwest Territories, under chap. 50, of the Revised Statutes of Canada, shall be continued by this constitution to the minorities in the said provinces.

My object in moving this amendment is to have embodied in the Bill section 14 of the Revised Statutes, which reads as follows:

14. The Lieutenant Governor in Council shall pass all necessary ordinances in respect to education; but it shall therein always be provided, that a majority of the ratepayers of any district or portion of the Territories, or of any less portion or subdivision thereof, by whatever name the same is known, may establish such schools therein as they think fit, and make the necessary assessment and collection of rates therefor; and also that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and in such case, the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessments of such rates as they impose upon themselves in respect thereof.

House divided on amendment (Mr. Léonard).

YEAS:

Messieurs

Bergeron, Bourassa, Lavergne (Montmagny), Léonard, Monk, Morin.—6.

NAYS:

Messieurs

Adamson, Alcorn, Archambault, Barker, Barr, Lake, Lalor, Lamont, Lapointe, Laurier (Sir Wilfrid),

Beauparlant,	Laurier (L'Assomption),
Béland,	Lavergne
Belcourt,	(Drummond & Artha.),
Bickerdike,	Law,
Black,	LeBlanc,
Blain,	Lennox,
Borden (Carleton),	Macdonald,
Borden (Sir Frederick),	Macdonell,
Bourbonnais,	MacLaren,
Brabazon,	Maclean (Lunenburg),
Brodeur,	Macpherson,
Bruneau,	McCool,
Bureau,	McIntyre,
Caldwell,	McIsaac,
Calvert,	McKenzie (Bruce),
Campbell,	McKenzie
Carney,	(Cape Breton, N.),
Cash,	Marcile (Bagot),
Chisholm,	Marcil (Bonaventure),
Christie,	Martin (Wellington),
Carrier,	Mayrand,
Cochrane,	Miller,
Cockshutt,	Northrup,
Conmee,	Oliver,
Costigan,	Parmelee,
Crawford,	Paterson,
Crocket,	Parent,
Cyr,	Perley,
Daniel,	Piché,
Delisle,	Pickup,
Demers,	Porter,
Derbyshire,	Power,
Desjardins,	Préfontaine,
Devlin,	Proulx,
Dubeau,	Riley,
Dugas,	Rivet,
Elson	Roche (Marquette),
Emmerson,	Ross (Rimouski),
Ethier,	Ross (Yale-Cariboo),
Finlayson,	Rousseau,
Fisher,	Schaffner,
Fitzpatrick,	Schell (Oxford),
Fortier,	Scott,
Gauvreau,	Sinclair,
Geoffrion,	Smith (Oxford),
Girard,	Sproule,
Gladu,	Staples,
Grant,	Talbot (Bellechasse),
Gunn,	Taylor,
Hall,	Telford,
Harty,	Tobin,
Henderson,	Turgeon,
Hughes (King's, P.E.I.),	Turriff,
Hunt,	Wilson
Jackson (Selkirk),	(Lennox & Add.),
Johnston	Wilson (Russell),
(Cape Breton, South)	Wright (Muskoka),
Kennedy,	Wright (Renfrew),
Lachance,	Zimmerman.—124.

Mr. BOURASSA. I rise to a point of order. The hon. member for Alberta (Mr. Herron), the hon. member for Algoma (Mr. Boyce), the hon. member for Calgary (Mr. M. S. McCarthy) and the hon. member for Huntingdon (Mr. Walsh) voted, though they came in after the question was put.

Mr. SPEAKER. It will not be proper to record their votes if they came in after the question was put. I would ask the hon. members whose names have just been mentioned if they were in the House when the question was put.

Mr. LEONARD.

Mr. BOYCE. I may say, so far as I was concerned, that there was a very imperfect ring of the bell.

Some hon. MEMBERS. Oh, oh.

Mr. SPEAKER. The names of the hon. members for Algoma, Alberta, Calgary and Huntingdon, will be struck out.

Amendment (Mr. Léonard) negatived.

Mr. R. L. BORDEN. Before the motion is put, I desire to make the same motion in amendment with regard to clause 16 which I made with regard to the corresponding clause in Bill No. 69, seconded by Mr. Cochrane :

That all the words after 'now' to the end of the question be left out and that the following words be inserted instead thereof :

Recommitted to a Committee of the Whole House with an instruction that they have power to strike out section 16 of the Bill and to substitute the following section therefor :

16. The provisions of section 93 of the British North America Act, 1867, shall apply to the said province in so far as the same are applicable under the terms therof.

Sir WILFRID LAURIER. With the consent of the House we might have the same vote recorded with the same motion.

Mr. R. L. BORDEN. I had already suggested that, and I concur. Where the provisions of the Bill are exactly the same and the motion in amendment is exactly the same, surely we need not come trooping in to vote again.

Sir WILFRID LAURIER. Instruction might be given to the clerk to have the same motions and the same votes recorded on this Bill as on the other Bill.

Mr. SPEAKER. On the understanding that that is the unanimous wish of the House, I direct the clerk to record the same motions in amendment and the same votes on this Bill as those on the previous Bill, with the names of the movers and seconders entered.

Amendment (Mr. R. L. Borden) negatived.

Mr. SPROULE. I beg leave to move, seconded by Mr. Lennox :

That all the words after 'now' to the end of the question be left out, and that the following words be inserted instead thereof :

Recommitted to a Committee of the Whole House with an instruction that they have power to strike out section 2 of the Bill, and to substitute the following section therefor :

2. The provisions of the British North America Act, 1867 to 1886, shall apply to the province of Saskatchewan in the same way and to the like extent as they apply to the other provinces heretofore comprised in the Dominion, except such provisions as in terms or by reasonable intendment are specially applicable to or affect one or more only and not the whole of the said provinces.

This is a similar motion to that presented by Mr. Sam. Hughes with reference to the other Bill. I do not propose to accompany it with any remarks, as the argument has been made on the other Bill and will apply with equal force to this.

Amendment negatived, and Bill read the third time, on division, and passed.

THIRD READINGS.

Bill (No. 156) to amend the Northwest Territories Representation Act.—Mr. Fitzpatrick.

Bill (No. 159) to amend the Dominion Controverted Elections Act.—Mr. Fitzpatrick.

Bill (No. 163) to amend the Census and Statistics Act.—Mr. Fisher.

Bill (No. 161) to amend the Northwest Irrigation Act, 1898.—Mr. Oliver.

On motion of Sir Wilfrid Laurier, House adjourned at 1.15 a.m., Thursday.

HOUSE OF COMMONS.

THURSDAY, July 6, 1905.

The SPEAKER took the Chair at Three o'clock.

QUESTIONS.

INVERNESS, NOVA SCOTIA, POSTMASTER.

Mr. LANCASTER asked :

1. Who is the postmaster at the town of Inverness, Nova Scotia ?
2. Does he attend to his duties personally, or are they delegated to others ? If so, to whom ?
3. What salary does he receive ?
4. During what hours is the office kept open ?
5. What accommodation has the post office building, and what is the size and character of the building or room used for the post office ?
6. What is the intention of the government with regard to post office accommodation in this town ?

Hon. SYDNEY FISHER (for the Postmaster General) :

1 and 2. Donald McIsaac is in charge of the Inverness post office, Nova Scotia. He gives personal supervision to the duties of the office.

3. The salary and allowances attached to the office amount to $606.

4. The office hours are from 8 a.m to 10 p.m.

5. The post office building is provided by the postmaster subject to the approval of the Post Office Inspector. As the inspector has not reported the accommodation as insufficient, it is assumed by the department that it is adequate to the public requirements.

6. As the department has not been notified that accommodation is insufficient, the question has not been considered.

WEIGHING OF BUTTER AND CHEESE.

Mr. WALSH asked :

1. Is the government aware that a grievance exists at the port of Montreal with regard to the weighing of butter and cheese ?
2. Does the government intend to take any action in the matter ? If so, when ?

Hon. SYDNEY FISHER (Minister of Agriculture). The government is aware that a grievance exists in Montreal with regard to the weighing of butter and cheese. The Department of Agriculture is dealing with the matter in connection with the Board of Trade of Montreal, which now has the rules and regulations of this weighing under its control.

HALIFAX AWARD.

Mr. PICHE asked :

1. Did the government of Canada receive any portion of the sum of $5,500,000 paid by the government of the United States to the government of the United Kingdom, in consequence of the decision rendered on the 23rd November, 1877, by the arbitration commission sitting at Halifax ?
2. If so, what amount ?
3. At what date was such payment made ?
4. Did the provinces which are interested in the fisheries affected by that decision, or any of them, claim the remittance total or in part, of the amount paid to the government of Canada ?
5. If so, when, and by which provinces were such claims made ?

Hon. RAYMOND PREFONTAINE (Minister of Marine and Fisheries) :

1. Yes.
2. $4,490,332.64.
3. 6th December, 1878.
4. Yes.
5. Prince Edward Island, 19th February, 1879 ; Quebec, 5th February, 1902 ; New Brunswick, 7th September, 1903.

Nova Scotia has made no specific claim ; but her agreement to an adjustment of the case between the Dominion and the provinces involves such claim, if the principle, which is now denied, eventually prevails.

MILITIA OFFICERS.

Mr. LEONARD—by Mr. Taylor—asked :

1. Were the militia officers who successfully passed their examinations last winter at Montreal ' Gazetted ' ?
2. If so, on what date ?
3. What are their names and rank ?
4. If not, why have they not been ' Gazetted ' ?
5. When will they be ' Gazetted ' ?

Hon. Sir FREDERICK BORDEN (Minister of Militia) :

1. Yes.
2. Promulgated in Militia Order 109, 13th May, 1905. Provisionally appointed officers,

confirmed in their rank by General Order No. 103, dated May 30th, 1905.

3. Captain, W. W. Burland, 3rd Rgt.
Captain, A. D. Redford, R. O.
Captain, P. Bisaillon, 85th Rgt.
Captain, J. N. Begin, 61st Rgt.
Captain, E. W. Bonham, 1st Rgt.
Captain, J. E. Ouimet, 85th Rgt.
Captain J. E. B. Normandeau, jr., 83rd Rgt.
Captain, C. A. Palmer, H. C. Bn.
Captain, D. J. Sandilands, H. C. Bn.
Lieutenant, D. J. MacLean, 1st Rgt.
Lieutenant, *H. B. Mussen, 1st Rgt.
Lieutenant, *F. McL. Spry, 1st Rgt.
Lieutenant, *T. S. Tippet, 1st Rgt.
Lieutenant, *M. McD. Duff, 1st Rgt.
Lieutenant, *H. R. Lordy, C. of Gdes.
Lieutenant, J. A. Milot, 83rd Rgt.
Lieutenant, *P. Durocher, 65th Rgt.
Lieutenant, J. C. J. LeBoutillier, 65th Rgt.
Lieutenant, E. Manseau, 61st Rgt.
Lieutenant, J. E. Lareau, 85th Rgt.
Lieutenant, A. Beauchemin, 64th Rgt.
Lieutenant, *V. C. Buchanan, 5th Rgt.
Lieutenant, *B. A. A. Dugas, 83rd Rgt.
Lieutenant, *W. Ramsay-Smith, 5th Rgt.
Lieutenant, *H. Barre, 65th Rgt.
Lieutenant, *R. H. Jamieson, 5th Rgt.
Lieutenant, *W. H. Clark-Kennedy, 5th Rgt.
Lieutenant, *G. Menard, 83rd Rgt.
Lieutenant, *S. G. Garraway, 1st Rgt.
Lieutenant, *J. H. Dupuis, 65th Regt.
Lieutenant, *H. Merrill, 65th Rgt.
Sergt.-Major, V. Tardiff, 65th Rgt.
Col.-Sergt., A. L. Larose, 65th Rgt.
Col.-Sergt., W. Langlois, 65th Rgt.
Sergt., E. Brown, 85th Rgt.
Sergt., M. McGaldrick, 1st Rgt.
Sergt., E. Charbonneau, 65th Rgt.
*In G.O. No. 103.

4. Answer already given.

5. Answer already given.

CONTRACT WITH NORTH ATLANTIC TRADING COMPANY.

Mr. F. D. MONK. Before the Orders of the Day are called, I would like to ask my right hon. friend if he can give an answer to the question I put a week ago with regard to the protest received from foreign governments concerning the ten year contract for the transportation of immigrants from the continent of Europe to Canada. Has any protest been received ? Have any representations been made to the government by the imperial government itself concerning that contract ? When I put the question my right hon. friend said he would give an answer in a day or two.

Sir WILFRID LAURIER. So far as I know at present I am not aware that any representation has been made by the imperial authorities, but I am not sure whether any has been made by another government, whose name I have not in my mind at this moment.

Sir F. W. BORDEN.

WAYS AND MEANS—THE BUDGET.

Hon. W. S. FIELDING (Minister of Finance moved:

That the House go into committee to consider of the ways and means for raising the supplies to be granted to His Majesty.

He said: Mr. Speaker, for the ninth time it is my privilege to present to the House the annual statement of the financial affairs of the Dominion, which is commonly called the budget speech. I much regret that the budget this year has been delayed to a somewhat late period, but the reasons which have occasioned this delay are within the knowledge of the House. In the early part of the session I was unavoidably absent in Europe, and on my return the House had taken up the consideration of two very important Bills designed for the purpose of creating two new provinces. It seemed desirable that these Bills should become law before the 1st July this year, and with a view to accomplish that purpose we deemed it necessary to put aside other matters and proceed with them as matters of the greater urgency.

For that reason the budget is delayed to an unusual date. I am glad to know, however, that this has not led to any considerable public inconvenience. It had been well understood that there would be no extensive tariff changes during the present session. It was well known that the government had announced their intention, before making any extensive revision of the tariff, to make an inquiry by a commission of ministers, and that commission not yet having had an opportunity to sit, it was well understood that during the present session we would not undertake any extensive tariff revision. That being the case, as I said a moment ago, I do not think any considerable public inconvenience has been caused by the delay of the budget. In view of the fact that no extensive changes are contemplated, and in view of the late period of the session at which we find ourselves, and I think I may correctly say, in view of the very general desire that public business shall now be rapidly expedited, I shall endeavour not to detain the House for as long a time as may have been necessary on the occasion of some previous budget speeches.

The public accounts for the year ending 30th June, 1904, have been in the possession of the House for a considerable time, and it will not be necessary to dwell very much on their contents. A brief reference is all that I shall deem it necessary to make. The outcome of affairs for the year in most respects does not differ widely from our anticipations ; in some respects the figures differ, but not to an extent to cause any general remark. I estimated that the revenue for the fiscal year 1903-4, terminating on the 30th of June, 1904, would reach $71,000,000 ; the actual revenue was $70,669,816.82, a difference of $330,183.18 less than the estimate.

Coming to the expenditure, the difference is more material. It is always more difficult to estimate the expenditure than the revenue, for this reason, that there are outstanding contracts running to the end of the year and sometimes overlapping into the next year, and it is not easy to determine how much money will be expended on any one of these works up to a given date. If the season proves particularly favourable for work, or if contractors are particularly energetic, they may do more work than is anticipated at an earlier stage of the year; and at the close of the year we may find it necessary to provide for a larger expenditure than we had anticipated at an earlier stage. At all events, at the close of the financial year to which I refer, we found that whereas the estimated expenditure was $54,500,000, the actual expenditure was $55,612,832.70, being an increase over the estimate of $1,112,832.70. These figures have reference to expenditures chargeable to income and represent the ordinary expenditure of the year.

I shall not dwell upon the receipts of the year except to say that on the principal sources of revenue there was a gratifying increase. Customs, excise and post office all showed a considerable increase; and the only item in which there was a material decrease was in regard to Dominion lands, a decrease which was due to the reduced revenue received from the Yukon. This increased expenditure affected to some extent our estimate of the surplus which fell a little short of what I had anticipated. My estimated surplus for the year was $16,500,000, the actual surplus was $15,056,984.12, making a surplus less by a considerable sum than I had anticipated, but still the most magnificent surplus of $15,000,000 and upwards, far and away the largest surplus ever recorded in the history of Canada.

The capital expenditure of the year 1904, came more closely to the estimate, and fell a little under it. In the budget of 1904, it was estimated that capital and special charges would reach some $11,500,000; the actual expenditure chargeable to these items was $11,244,711.80. The operations of the year in their relation to the public debt were on the whole very satisfactory. In the last budget I presented a review of the revenue and expenditure for a period of eight years. Dealing for a moment with our own expenditures, and leaving out of consideration certain entries which arose from the settlement of old long standing accounts between the Dominion and the provinces, confining my observations entirely to our own expenditures, I made the estimate that at the close of eight years it would probably be found that we had carried on the affairs of the government for that period without adding anything to the public debt, and I thought we might even hope for a little reduction of the public debt. That anticipation was not fulfilled to the letter, but it was fulfilled to a very large extent. The increased expenditure to which I refer affected the calculation a little but the result is that looking at those eight years expenditures, leaving out of consideration the special entries in relation to the settlement of old provincial accounts which had to be dealt with, but which were no part of our expenditure and dealing with the matter in that light, we find there was an increase in the net public debt of Canada to the extent of $278,232.94, or an average increase per anunm for the eight years of $34,779.11. While I make that statement, separating our own expenditure from the items connected with the readjustment of the old provincial accounts, if we include, as we must according to the figures published in our public accounts, the items readjusting the old disputed accounts between the Dominion and Ontario and Quebec, the net result will be that in eight years there is shown an increase of debt to the amount of $2,370,285.83. Practically nearly all of that, as I say, is accounted for by the readjustment of old accounts with the provinces of Ontario and Quebec.

Now with regard to the surplus, I intimated in the review of eight years operation that our surpluses would probably amount to $57,880,091.92. When the accounts were closed the actual total surpluses on the eight years operations was found to be $56,437,076.04. The average surplus as estimated by me in the review to which I referred, was $7,235,011.49; the actual average surplus on the closing of the accounts was $7,054,634.50, a very gratifying statement.

Now sometimes questions are raised in this House, and more frequently outside, as to the manner in which our surplus is calculated. I have discussed this matter in the House before, and perhaps it is hardly necessary to refer to it again. Yet I remember that we are in the first session of a new parliament, and that there are many hon. gentlemen here who were not with us in former years, and perhaps it would not be unprofitable if I devoted a few minutes to a consideration of that question. It is sometimes argued by unfriendly critics that Canada should not claim any surplus in her accounts unless she has a revenue which enables her to provide for all expenditures of all classes, without any exception, and that there should be no distinction between capital account and income account. That is a criticism not unfrequently offered in the public press, and I wish to say that in my judgment that criticism is unsound, and I say further, that it is directly at variance with the views that have been entertained by every Minister of Finance of Canada who has ever occupied that position, without any exception.

The distinction between ordinary income and capital account has always been observed in our public accounts. And for

good reasons. In a country like Canada, with great works to provide for, it would not be reasonable to suppose that every year we could provide out of our ordinary revenue enough money to meet all the demands upon the federal treasury. In the life of the nation, as in the life of the individual, there are times when it is necessary to provide for something which cannot be provided for within the ordinary current expenditure. The man who rents a house pays his rental from year to year. He knows that he must provide for it in that way. But, if he buys the house he does not have to provide in the same way; it is a special disbursement; and he opens a capital account. That homely illustration of what a man will do in his private affairs explains exactly what the nation has to do in its greater affairs. There are great public works—the construction of canals, the subsidizing of railways, the erection of public buildings in the federal capital (for we do not charge outside buildings to capital account), and all these classes of large expenditures of special character, most of them for works of a permanent nature, are and have always been, charged to capital account. And I persist in the opinion I have often previously expressed—and I am supported by the opinion of every Minister of Finance of Canada who has held the office—that it is right and proper to make a distinction between ordinary and capital expenditure, or special expenditures which should be charged to an account other than that of ordinary expenditure. So, on the general principle of the distinction between income and capital expenditure, there is no difference between hon. gentlemen opposite and myself. My predecessors adopted the same principle that I adopt in this matter. The only possible difference between us will be as to the working out of the details of the account. There is one item only in the capital and special account which did not appear there in the days of our predecessors; and that is the item with respect to the bounties on iron and steel, and so on. In the days of our predecessors, and for a number of years in our own, these bounties were paid in the way of drawbacks from the customs revenue. That is to say, the customs revenue was never shown in the public accounts at its actual amount, but was subject to a deduction to the extent of the bounties that had to be paid. At that stage the bounties were not very large, and this method of treating the accounts was, perhaps not a matter of very great concern; although, as a matter of principle, in my opinion it was not the correct method. However, as I have said, it was established by our predecessors and continued for one or two years by ourselves. But when the amounts increased, as they did very largely, we thought there should be a change in the method of dealing with them; and we decided that they should be charged to a special account, which is practically capital account, along with railway subsidies and expenditures of that nature. We regarded these bounties as temporary outlay intended to run for only a few years; and therefore they might be considered as special expenditures. However that may be, there is that difference between the accounts of our predecessors and our own—they charged these bounties practically to income, inasmuch as they deducted them from the customs revenue; we have charged them to capital or special account. And it is a fair question, as it has been in the past, whether that is or is not the proper method. What I wish to point out is that we need not dwell very much on that, because the difference between charging these bounties to income and charging them to capital would not affect to any considerable extent the question of the surpluses. If the surpluses had been small it might be possible by an analysis of the accounts, by transferring these items from capital to income, to show that there was no surplus at all. Happily, however, nothing of that kind has occurred. The surpluses have been large and generous. And if we transfer these disputed items—if I may call them disputed—from capital to income account, they do not make much difference in the general result. The net total surplus for eight years is $56,437,076.04. If we throw out the bounties and charge them to income, we find that the net surplus for eight years has been $53,107,692.77. The average yearly surplus as shown in our statements is $7,054,634.50. If we leave out the bounties, the average yearly surplus has been $6,638,461.59. So, though these bounties amount to a large sum in themselves, yet, whether you charge them to income or charge them to capital does not make much difference, comparatively speaking, so far as the surplus is concerned.

The question of the interest on our public debt is always of importance. In a country like Canada, it would be reasonable to suppose that there would be a considerable increase from time to time in the burdens the people would have to bear in the way of interest on the public debt. We are able to present a very gratifying statement on that point. The net amount of interest on the public debt is actually less than it was in 1897. By the net amount of interest I mean this: We first take the actual interest paid on the gross debt; then allow for the interest we receive from sinking funds and other investments, and the balance represents the net amount paid on the public debt, the actual burden upon the people for that service. The following figures will show the reduction in the net amount paid for interest on the public debt:

Reduction in net amount of interest on public debt—

1896-97.

Amount paid in interest on public debt..	$10,645,683 27
Received as interest on sinking funds and other investments..	1,443,003 84
Net amount of interest, the real burden upon the people..	9,202,659 43

1903-04.

Amount paid in interest upon public debt..	11,128,636 72
Received by way of interest on sinking funds and other investments..	2,236,255 93
Net amount of interest on public debt, the real burden on the people..	8,892,380 79

So, the net amount of interest on the public debt to-day is $8,892,380.79 as against $9,202,659.43 in 1897.

Mr. FOSTER. What was the net payment in 1903 ?

Mr. FIELDING. In 1903 it was $9,047,186.13. I come now to the year ending June 30, 1905. As a rule the budget speech deals with the current year. But we have to recognize the fact that, owing to the lateness of the budget statement this year, we are dealing with a year that has been completed, the fiscal year ending June 30 last—that is last week. Under the system followed in the mother country, it is possible, within a few days after the end of the fiscal year, to make up the statements of the year's business. It is not the practice there to delay for the settlement of any accounts. The accounts are closed as they stand at 31st March, and any outstanding accounts are taken into the transactions of the next year. That may be a convenient and useful way to deal with the accounts in a country like Great Britain, where they have a dense population, where the distances are short, the means of transportation very good and the operations of the national exchequer throughout the country are quickly brought under review. But it has not been found suitable to Canada with our vast territory and with great operations going on from ocean to ocean involving the collection of money at distant points. With territory so far from the capital as British Columbia and the Yukon, it would be found most inconvenient for us to close the accounts on June 30. We have, therefore, in the wisdom of parliament, and under all governments, deemed it well to allow time for closing up the accounts. Therefore, though our fiscal year ended a few days ago, it may be a couple of months before we can have a correct idea of the operations of the year. Nevertheless, as we have now just closed the year, we are in a better position to form an estimate as to its operations than we would usually be. I find that the receipts of the Dominion up to the 30th of June as shown in the last ten days' statement—that means the receipts that have been brought to the notice of the Finance Department and have entered into the Dominion books; it does not mean the receipts everywhere, because there are receipts in distant parts of the Dominion which are not yet reported—the receipts which have passed through the books of the Finance Department up to the 30th of June—as shown by last ten days' statement—are as follows:

From customs..	$40,954,871 94
From excise..	12,461,113 42
From other sources..	16,058,772 18
Total..	69,474,757 54

I propose to add to this $69,474,757.54, as the probable sum to be received into the Dominion treasury from the different operations of the Dominion where the money has been collected, an estimated sum of $1,775,242.46 which will appear in the final adjustment of the accounts for the year. Therefore, I estimate the revenue for the year which has just closed at $71,250,000 in round numbers. This, if realized,—and I hope it will be and possibly a little more—this will be an increase of something like $600,000 over the revenue of the previous year ; not a very large increase, but we are hardly in a position to expect that our revenue will increase in the future as rapidly as in the past, though I feel sure that there will be a steady wholesome growth.

Coming now to the question of the expenditure for the year which closed on the 30th of June last ; the expenditure accounted for in the Finance Department to the 30th of June (as shown in the last ten days' statement) was $50,279,597.14. I propose to add to that, as the probable additional outlay which will have to be made to complete the operations of the year, the sum of $11,970,402.86, making the estimated total expenditure for that year, $62,250,000 chargeable to consolidated fund account.

The actual expenditure for the year 1903-4 was, $55,612,832.

It is apparent therefore that while we are estimating on a moderate increase of revenue—which I have placed at about $600,000 though I am hopeful it will be better—we have to provide for a largely increased expenditure.

Mr. FOSTER. What were the figures of the expenditure last year ?

Mr. FIELDING. The actual figures for 1903-4 were $55,612,832, and the estimated expenditure for the year just closed I put at $62,250,000, making the increased expenditure for the year chargeable to consolidated fund, $6,637,167.

Now, under some circumstances that would be a statement which would give grave cause for anxiety and even alarm. To have a small increase of revenue and a large

increase of the expenditure is of course a reason for great watchfulness and care, but in this case, while we should be watchful and guard against any extravagance, and while an increasing expenditure with a moderately increasing revenue is a just cause for exercising more than ordinary watchfulness, yet, I am glad to say there is no cause for alarm because we shall be able to provide for that largely increased expenditure during the current year and yet have a very handsome surplus to our credit.

Some hon. MEMBERS. Hear, hear.

Mr. FIELDING. Estimating the consolidated fund revenue at $71,250,000 and placing against it the consolidated fund expenditure of $62,250,000, we find that notwithstanding our liberal expenditure of the past year we shall close the year with a handsome surplus of $9,000,000; a surplus large in itself, small by comparison with our surpluses of $14,000,000 and $15,000,000 of recent years, but nevertheless larger than any surplus ever recorded in the history of Canada prior to the days of the present government.

The expenditure on capital account for the year 1904-5 as shown in our accounts to the 30th of June was: $11,007,925.51. I add to that a probable further sum of $1,492,074.49 making a total estimated capital and special expenditure of $12,500,000.

Now we may consider the effect of the operation of this large capital expenditure, together with the consolidated fund expenditure I have mentioned, upon the question of the net debt. For this purpose we have of course to take into consideration all expenditures. The estimated expenditure on consolidated fund account then is $62,250,000; the estimated expenditure on the capital and special account is $12,500,000; making the total estimated expenditure of all classes for the year $74,750,000.

Against this we place the estimated revenue of $71,250,000, and the sinking funds $2,250,000, which are expenditures on one side of the account, but which immediately pass into our assets and therefore do not increase our public debt. Taking into account then our total expenditure estimated for the year at $74,750,000 and placing against it our revenue of $71,250,000 and the sinking fund of $2,250,000, we reach the conclusion that there will be in closing up the year's accounts an addition to the net debt of Canada of $1,250,000.

Mr. HENDERSON. Cheer now?

Mr. FIELDING. Well, it would be a happy thing in the days of the friends of my hon. friend (Mr. Henderson), if they could have closed year after year with an addition of only one and a quarter million dollars to the net debt of Canada.

Some hon. MEMBERS. Cheer now.

Mr. FIELDING.

Mr. FIELDING. If they could always have come out with no greater addition than $1,250,000 to the public debt in a year, it would have been deemed a most gratifying statement by the Conservative party.

Mr. FOSTER. That all depends.

Mr. FIELDING. Yes. I am not trying to import a party element into this discussion. There were some years that my hon. friends opposite did have a surplus to their credit and the public accounts show it, and nothing is further from my purpose than to indicate to the contrary.

Mr. COCHRANE. You like to enjoy a little cheap applause when you can get it.

Mr. FIELDING. My hon. friend is not bound to join in the applause. There is nothing in the revised statutes of Canada which obliges him to join in it.

I think, Sir, when we have regard to the vast works that have been carried on, when we have regard to the very liberal expenditure in which Canada has been indulging, when we have regard to what my hon. friends opposite sometimes wish to call the lavish expenditure of the government, it will be a very gratifying statement of our affairs if at the close of the year which ended a few days ago it turns out that we have no addition to the public debt beyond $1,250,000. I present that as a somewhat conservative statement; I am not without a hope that the result may be better, that we may even be able to come out square; but if there be an addition to the net debt of Canada on the operations of last year my judgment is that it will not exceed $1,250,000.

Mr. SPROULE. You have not yet given us the net debt.

Mr. FIELDING. I have given my hon. friend the amount of the probable reduction of the net debt. The figures are given in the public accounts. The gross debt of Canada is about $364,000,000 and the net debt about $260,000,000. The exact figures will be found in the public accounts; I am giving the reduction or the addition as the case may be.

A budget speech usually deals with two years; it deals with the year that has passed, the accounts for which have been before the public, and then it deals with the year current which is usually well advanced at the time the budget speech is delivered. This year we are in the exceptional position that the second year has closed and we are just entering this week upon a new year, the fiscal year which will end on June 30 next, of which only a few days have passed. It is not usual for the Minister of Finance to go very minutely into the affairs of that future year, chiefly because at the ordinary time for the making of the budget speech that year is quite remote. Just now, however, we are nearer to its affairs

than usual and to that extent we are in a better position to form an impression as to the outcome. We have had eight years of certainly very prosperous finance in Canada. The eight years' statement of expenditure which I have given must be gratifying to the hon. members on both sides of the House. Our operations of the past year are also in their general result very satisfactory. But we realize that we are now reaching a period when our revenue is increasing in only a moderate degree and when, nevertheless, we have to consider the question of a considerable increase in expenditure. It is necessary to guard against too lavish expenditure; surely a Minister of Finance must always appreciate that, but it would be equally possible to err on the other side. There is a saying which I have quoted once in this House, that wise expenditure is true economy. A single dollar squandered or spent corruptly is open to the greatest censure, but hundreds of thousands and even millions of dollars spent in useful public work, will be defended by every good citizen. Therefore while on one side we should guard against extravagant expenditure, I think in this period of the growth of Canada, in the midst of this period of great development, it would be a serious mistake to deny the public service the grants which are needed in order that the progress of the country may not be interrupted. The function, therefore, of a Minister of Finance is to find a happy medium, to guard on one side against wastefulness and extravagance and on the other side to see that the applications made by his colleagues and by the people of all sections of the country for increased expenditure shall not be refused if the proposed expenditures are reasonable and likely to assist in the general development of the country. Therefore we do not shrink, Sir, from bringing forward liberal expenditures for the coming year. We think that the liberal expenditures of the past have been one of the factors—how large a factor may be a matter of debate—but surely on both sides we can agree that the liberal expenditures of the past few years have been one of the factors which have made for this great development of which every Canadian citizen is so proud, and if that be the case we should be prepared to continue a liberal expenditure for useful purposes, guarding against extravagance and wastefulness. The demands upon the treasury of the country are great and varied. We have a vast territory with varying needs according to the varying physical conditions. In one part of the country it is the construction of a great railway which seems to be demanded to meet the requirements of the people; in another case it is the construction of a new canal or the enlargement of an old one; in another case it is the construction of a great armoury to afford the facilities required by our militia and to encourage the men who are giving their time and devoting their energy to the study of the work of defending our country; in another it is the construction of public buildings to give an increase of necessary accommodation to the public officials and to stimulate the local feeling of the people and encourage them to go ahead with the improvement of their community; in another case it is the construction of a breakwater to protect the fishermen; in another case it is the construction of a wharf or a pier to bring the people of the community in which this work is placed within the reach of the various means of communication. In a country stretching from ocean to ocean, with widely differing needs, it is the function of the government to take into consideration all these wants and to endeavour to provide for them in a generous spirit. We have adopted that view and in the estimates that we have submitted to parliament we provide for a very liberal expenditure in the coming year. The question is : Can we afford that expenditure ? We feel satisfied, Sir, that we can afford it, and that it is in the best interests of the country that to the extent of our appropriations we should meet the demands which come upon us from all parts of the Dominion. We have brought down for the next year main estimates amounting to $58,495,187.70 on consolidated account. We have also brought down supplementary estimates on the same account amounting to $8,394,710.60, making a total of $66,889,898.30. But it is to be remembered that in the next session there will probably be a number of supplementary estimates to wind up the affairs of the year just as during this session a supplementary estimate was submitted to wind up the affairs of the past year. The final supplementary estimate for the past year amounted to something under $5,000,000. I am therefore placing $5,000,000 in my statement as the sum which we will probably have to ask for in the next session of parliament to close up the affairs of the year.

Mr. FOSTER. What was the amount of the supplementary estimate ?

Mr. FIELDING. $4,839,556. That includes the estimates brought down some days ago and which have now been passed for the year ending June 30, 1905. Thus in allowing $5,000,000 for the next year we are providing a sum larger than that for which we asked the House in the final supplementary estimate in the last year.

Thus taking our main estimates as submitted and our supplementary estimates as submitted and allowing that next session we will have to add $5,000,000 more by way of estimate for the year we shall reach a probable total appropriation for the year of $71,889,898.30.

If we could look forward to the expenditure of that whole sum we anticipate that the revenue of the year would be equal to it and would enable us to pay the whole

bill and have a modest surplus. But of course experience has shown that you cannot spend the whole sum appropriated, for various reasons. It is found impossible to spend within the year all the money that parliament appropriates. Take for example the Department of Public Works; it is necessary that appropriations be made in order that you may authorize the proper officials to begin to make plans for public works, to take all the preliminary steps and to get ready, but with a vast territory to cover and a great deal of work to be done it frequently happens that the officials cannot overtake the work, and at the end of the year there is a very considerable sum of money which has been appropriated for works which will ultimately have to be built, to be expended within the fiscal year.

Experience shows, as my hon. friends opposite are aware, that necessarily very considerable sums lapse. I said a moment ago that even if there were no lapses we would still, I feel confident, have the revenue to provide for every dollar of our expenditures on consolidated fund account; but if we take into account the customary lapses, which will reduce the expenditure to a very considerable degree, I feel confident that at the close of this year, upon which we have just entered, we shall be able to provide for all our expenditures chargeable to consolidated fund and to have a very respectable surplus. I would prefer not to go into figures so far ahead, but I feel confident we shall have a very respectable surplus, and if it should prove to be, as it it is quite possible with the development of trade, a large surplus ,then to that extent, whatever the surplus may be, it would go against our capital expenditure and diminish the amount which would otherwise be added to the debt of the country.

Mr. FOSTER. Has the hon. gentleman made any calculation as to what the revenue will be?

Mr. FIELDING. Yes.

Mr. FOSTER. In its different parts?

Mr. FIELDING. No; I have not in detail. My general estimate is that there will be a moderate increase of revenue as compared with the revenue of the past year. I do not place it at a large amount. I think that as we have during the year which has just closed only had an increase of some $600,000—perhaps it may reach $700,000 or $800,000—over the revenue of the previous year, I would not be justified in expecting a large increase in the coming year, but I anticipate the revenue of the coming year will be equal to the revenue of the past year, and that, roughly speaking, we will probably have a million more.

Now, in regard to our capital account, because I have been dealing so far with the question of the consolidated fund account, only our main estimates provide for $10,169,210, and our supplementary estimates for $5,020,262.85. I add, as a probable supplementary estimate at the next session for the same year, $1,500,000, making an estimated total appropriation—not necessarily a total expenditure—on capital account for this year of $16,689,472.85. This is an unusually large appropriation on capital account, but the House must remember that we have now reached the point where we are beginning to provide for the construction of the Transcontinental Railway, and from this time forward we must expect to see in our annual appropriations very considerable sums chargeable to capital account which must be appropriated for the construction of that road. For example, in the estimated votes amounting to $16,500,000 and a little more, which I place as the probable total of the votes on capital account for this current year, we have asked for $3,682,212.85 on account of the Transcontinental Railway, and we must expect that from this on—

Mr. FOSTER. A part of which is a back debt already due.

Mr. FIELDING. Not for the Transcontinental Railway.

Mr. FOSTER. Part of it.

Mr. FIELDING. What is that?

Mr. FOSTER. For plans and surveys taken over from the Grand Trunk Pacific.

Mr. FIELDING. Whether that enters into one year or another is of no consequence. It all goes into the general account. The plans and surveys have been taken over by the commissioners from the company, and we have to take an appropriation to pay for them. Whether we put that in the appropriation for one year or another year is of no consequence. This is a charge which has not hitherto figured in our public accounts to any extent, but we must anticipate that from this time forward, from year to year, we will be called upon to provide large sums for this service, and I am inclined to think that the larger the sums we ask for, provided they are expended, the better the House and the country will be pleased, because the general desire on the part of hon. members on this side and, I would hope, of hon. members on the other side, although they did not quite agree with us as to the scheme, now that the scheme has been adopted, is that we should prosecute the work with all possible speed, complete the new road and see what good it is going to bring to our country. Therefore, I do not regard it as a matter of regret that we are obliged to ask for this large sum in our capital account for the current year, nor do I regard it as regrettable either that we shall be obliged every year, for the next five or six years, to include in our capital appropriation a very large sum

on account of that railway. While the appropriation of these sums will necessitate the raising of considerable money for construction, they will not affect our general interest account as it appears in the public accounts for some years to come. In the General Railway Act of Canada the principle is recognized that interest during construction is a part of capital account. Every railway is constructed on that basis. That principle has been carried into the legislation respecting our Transcontinental Railway. The interest during construction is payable out of capital, and at the close of the construction period, it is all added to the capital sum, and thereupon the Grand Trunk Pacific pays us a rental based upon the total sum, including the interest. Therefore, during the period of construction, while the Dominion will have to pay the interest, of course, on all the sums it borrows, that interest will be charged, as respects the railway, in the capital account, and our ordinary interest account will not commence to bear any burden until after the construction period has been finished.

There is a very interesting feature in our financial affairs to which a passing reference may be made, because it is very suggestive. I allude to the remarkable increase which is shown in the public documents in respect to the issue of money orders in Canada payable abroad. Between 1884 and 1899 such orders amounted to between $2,000,000 and $3 000,000 yearly. For the year ended 30th June last they amounted to almost $8,000,000. The countries for which the principal increases have taken place are the United States, the United Kingdom, Italy, Newfoundland and Japan. In the case of France, Germany, Norway and some of the other European countries, there are small increases. The most noticeable increase, however, is in the case of Italy, on which orders were issued in 1904 for $546,283, whereas in 1900 the amount of such orders did not reach $60,000. While part of the increase is due to increased business generally, a very large proportion of it is to be traced to the increased immigration, and that the people who are coming to the country are finding profit in their labours may be inferred from the remittances which are being sent to the lands of their origin. Money orders issued in Canada payable in other countries :

1899	$2,466,772
1900	3,060,548
1901	3,631,969
1902	5,126,367
1903	6,107,124
1904	7,946,337

These figures would by no means indicate all the money orders which our new settlers, temporary or permanent, have sent abroad, because, of course, our banks do a large business and our express companies do a very considerable business in this respect, but the figures showing such a remarkable growth in the issue of money orders are very suggestive as showing that the people who have come to Canada, whether permanent or temporary, are people who have found Canada a prosperous country, and who have earned enough to be able to send money abroad to the countries of their origin.

Mr. FOSTER. Has the hon. gentleman made any estimate as to what proportion of these money orders are what you might call settlers' orders or temporary labourers' orders ?

Mr. FIELDING. It would be difficult to discriminate. In the case of the Italians, I think a very considerable sum would be temporary labourers' orders, because the Italians, as a rule, are not as prone to settlement as the peoples from other portions of Europe. It seems however, impossible to discriminate, except by taking the countries to which the money goes as an indication of the class of money orders. A considerable sum was probably sent by Italians, who are, as a rule, only temporary settlers ; but even so, that indicates that they have found profitable employment in Canada and are able to send abroad a good report of it.

It is customary in the budget speech to introduce statistical information showing the progress of the country ; but I shall refrain from doing that at present because it is not absolutely necessary, and because I desire to shorten the debate as much as possible. It will be sufficient if I say, with reference to the statistics of trade and commerce, the development of our banking institutions, the discounts in our banks, the transportation statistics of railways and steamboats, that all these classes of information go to show that Canada is continuing to enjoy a very large measure of prosperity.

With regard to the question of public loans, I am glad to say that we have only one temporary loan outstanding, namely, the loan of £600,000 sterling in treasury bills, which we placed a short time ago in London at the very satisfactory rate of two and a quarter per cent interest.

Mr. FOSTER. Does that include the cost ?

Mr. FIELDING. No, but there is very little cost in temporary loans. That represents the rate to the bank. There may be some trifling charge in addition to that.

Mr. FOSTER. How long has that to run?

Mr. FIELDING. It is a six months loan to mature in September. We have the 4 per cent loan of 1875, £1,000,000 sterling, which will mature in London in November next. That is our only loan maturing this year. Next year there will be one of £2,500,000 and so on—large loans

maturing down to the year 1913. In almost every year down to that date we shall have some loans falling due. After that there will be quite a long period during which there will be no loans maturing; but for some years to come, we shall have almost every year to provide for these maturities. With regard to the loan of £1,000,000 sterling at 4 per cent interest which will mature on the 1st November next, our present opinion is that it will not be necessary to go on the London market for a general issue of securities. The conditions are more favourable than they were, but the war in the East has unsettled the market for a long time; and it may be found advantageous to Canada to carry on our £600,000 sterling loan and the £1,000,000 loan about to mature by means of treasury bills for short periods until peace is proclaimed and the market is in a more satisfactory condition. Then, if necessary, Canada may go on the general market. In the meantime, we think it will be advantageous to use our powers in the way of floating temporary loans, but that question will be determined in the light of events that may happen.

Attention has been called for some time in this House and in the public press to the subject of the large amount of foreign currency, notably United States silver, which is in use in Canada, and the very general desire has been expressed that some step should be taken to minimize what many regard as an evil or what, at all events is objectionable. If there were reciprocity in that matter, I suppose there would be less complaint. If our brethren across the line would accept our Canadian silver as we do theirs, there would be no interest in either party trying to export the silver currency of the other, but we find that across the border Canadian silver is not generally accepted. There may be some exceptional community where it is taken, but as a rule, it is not taken in the United States unless in the immediate border towns, while United States silver is very generally taken in Canada. We have therefore come to the conclusion that it would be well to take steps to send it back to the United States. There was a movement of that character some thirty-five years ago, as hon. gentlemen may recollect, but perhaps no one wants to plead guilty of remembering so far back.

Mr. FOSTER. I do not.

Mr. FIELDING. But in the days of my distinguished predecessor, Sir Francis Hincks, the circulation of United States silver in Canada was regarded as very objectionable; and after long consideration, he determined to take steps to export it. And he did succeed in exporting a very large sum. From that time on, the circulation of United States silver, while pretty general, has not been anything like as large as in those days. Nevertheless, in view of all that has occurred, we think it desirable to take means for the shipment of it back to the United States. We do not desire that any one should refuse to take it, because that would interfere with trade; but we propose to provide that when that silver reaches the banks, it shall not be re-issued, and we propose to make an arrangement with the banks under which they shall ship it back to the United States.

Mr. FOSTER. Have you the power to deport it?

Mr. FIELDING. I believe that when we get to the line, there might be a question as to our power. If a man on the one side of the line wanted to send the silver across to the other, a very delicate international question might arise; but I intend taking the risk, notwithstanding the judgment of the distinguished judge in the province of Ontario.

Mr. URIAH WILSON. Will the banks take United States silver at par from their customers under such an arrangement?

Mr. FIELDING. Yes, we do not think it wise to attempt to charge any discount on it, because that might interfere with trade, especially along the border towns. Our method will be to arrange with the banks that they shall take the silver at its face value and then send it abroad. We shall pay them a special commission for that service, three-eighths of one per cent, besides which we will pay the express charges.

Mr. FOSTER. What for?

Mr. FIELDING. For the banks' own services, and besides the commission we will pay them the money they would be out of pocket by the expressage. Of course this country will receive a very material profit—though I do not think I would recommend the transaction on that ground—in substituting Canadian for United States silver. While in the coinage of gold there is no profit whatever, because a gold coin has only its intrinsic value and the stamp adds nothing to that value, in the case of silver coinage it is otherwise. In the case of silver, the value of the coin is very much in excess of the intrinsic value of the same quantity of that metal. Therefore every additional dollar of silver which is put in circulation by Canada is a source of profit to our country. I mention that incidentally though I do not think we should enter into an operation of that kind entirely for the profit. Nevertheless the costs we shall incur in the exportation of the silver will be met ten times over by the profit which Canada will make in the increased quantity of United States silver which will be replaced by our Canadian coinage. But when United States silver is used in the purchase of good Canadian products and thus helps

to make a profit for Canadian citizens, we do not prohibit its circulation.

Mr. FOSTER. If it does not, you do.

Mr. FIELDING. We propose to make the arrangement for one year, and my impression is that at the end of the year the quantity of United States silver in Canada will be so small that there will be no great profit in continuing the arrangement. But if experience shows that as we export the silver, it will come back very quickly, we shall only have to provide for continuing the arrangement.

Mr. FOSTER. Has the hon. minister made any estimate of what amount of the United States currency is here ?

Mr. FIELDING. It is very difficult to estimate. The financial experts have very widely different opinions on that point. I find that in the days of Sir Francis Hincks, the amount in circulation ran from $4,000,000 to $5,000,000. But we are satisfied that there is no such sum in circulation in Canada at present. The highest estimate of United States silver in circulation in Canada given by a financial authority for whose judgment we have respect is $900,000. I ought to say that other financiers of excellent judgment think that this figure is too high. An estimate given us by one gentleman, whose name I do not care to mention, but whose opinion would command respect in this House, is that the amount is not more than $500,000. It will easily be seen that when two eminent bankers with the same source of information reach these widely different conclusions it is exceedingly difficult to make an estimate.

Mr. FOSTER. Was $900,000 the highest estimate received ?

Mr. FIELDING. It was the highest estimate made by any of the few whom we have consulted. Other bankers may place the figures even higher. But the highest estimate given by any whom we consulted was $900,000. The opinion which we are rather disposed to accept is that during the year the amount will not exceed $500,000. Of course, there is room for very wide difference of opinion. At all events, whatever the amount may be, every person in Canada who has United States silver and does not wish to use it has only to go to the nearest bank and get Canadian silver for it. The Canadian banks will not re-issue that silver ; but will, under arrangement with our department, send it abroad to the United States, and we will give them in return our Canadian silver. So, if, hereafter, there is any United States silver current in Canada, it will be because the Canadian people prefer to have it. If they do, we do not wish to interfere with their preference.

Mr. R. L. BORDEN. If you practically provide that United States silver can be redeemed at any bank in Canada, would not that rather have a tendency to increase the flow of it into this country ?

Mr. FIELDING. I do not see that anybody will have any object in bringing the silver into Canada for the purpose of getting Canadian silver for it. I cannot see where it will be a source of profit. The intrinsic value of the silver is the same in both cases, and on our side there is practically no discount on United States silver. The hon. gentleman's question is a perfectly proper one, but I think, that, on reflection, he will see that there is no inducement to parties to do as he suggests.

Now, I said in the earlier part of my remarks, that it would not be anticipated that there would be any extensive tariff changes this session, for the reason that it was well known that it was the policy of the government to have an inquiry into the tariff before extensive changes were made. That inquiry will be made by what is called the tariff commission, which is a committee, practically, of members of the cabinet. The advantages of a public inquiry will be quite apparent. True, we have in our possession, as every Minister of Finance must have, a large amount of information bearing on the tariff, which accumulates from time to time. Generally speaking, that information is given to the Minister of Finance privately—I do not mean necessarily to say confidentially. An individual interested in some branch of industry waits upon the Finance Minister and delivers himself as to his needs with respect to the tariff, and probably furnishes a document showing what changes, in his opinion, ought to be made. Sometimes information of this kind is given by deputations waiting on the minister. In that way we have a considerable fund of information. There is a decided advantage in having a public inquiry, so that if there be two sides to any question these two sides may be heard. It not infrequently happens that a manufacturer or producer comes and asks for something in regard to tariff changes which, when it becomes known to some other manufacturer or producer—not to mention the consumer—is regarded as objectionable, because of conflicting interests. There is a decided advantage therefore in having a public inquiry, so that the people who are interested in the tariff rates on one side or on the other, may know what representations are being made ; and, if they see fit to do so, may come forward and present their views. We had an inquiry of that character, to a limited extent, in 1897. Unfortunately, we were very much pressed for time at that stage of our affairs, and we were not able to make that complete examination over the whole country that was desirable. We were not able to go west of Winnipeg. In all the principal cities in Ontario, Quebec and the maritime provinces and also in Win-

nipeg the commission held meetings and heard a great many people and received a vast amount of valuable information. Unfortunately we were obliged to return to Ottawa without going further west. That, of course, is something which we must avoid now. We must take care, in making the inquiry we are about to have, to hold meetings in all sections of the country, we must not fail to go out to that western country that we were not able to visit before. We shall, therefore, make it the business of the tariff commission :—to hold meetings in all the principal cities, possibly that 'principal' is a hard word to define, for they all think they are the principal cities of their several sections. Certainly that inquiry should be held in the capital of every province, and, in some cases, in other cities as well. In a great province like Ontario or Quebec, of course, it will be necessary to have several meetings; and in some of the smaller provinces it may be necessary to hold meetings in several places. However that may be, and without binding ourselves to details, it will be the policy of the government to have that inquiry made throughout the Dominion with the utmost care, with a view, if possible, to have the tariff brought before the House in revised shape at the next session. It is impossible to guarantee that; but it is our hope and full expectation that the work can be accomplished in time for the next session of parliament.

As to the points at which the meetings will be held that will be made known in the same public way as in the former inquiry. Every organization, or for that matter, every individual who wishes to be heard will have ample opportunity. In one case, no doubt the manufacturers' organization will be ready to present their views; in another case the farmers' organization will make their representations. And so with the miners, the fishermen and others, as the case may be. Care will be taken to afford opportunity for every class who wish to present their views to come and state in what respect they think, either that the tariff is right and should be maintained, or that it is defective and what changes they believe should be made.

Mr. FOSTER. What is the personnel of the commission?

Mr. FIELDING. The Minister of Trade and Commerce (Sir Richard Cartwright), the Minister of Customs (Mr. Paterson), and the Minister of Finance (Mr. Fielding), made the last inquiry. We have not reached a conclusion as to the personnel of the coming commission. But, naturally it will be composed of the ministers who are associated with what I may call the revenue side of the government. We have not yet reached a conclusion on that point.

While the details of the tariff must necessarily be open for consideration, and while we are not in a position to make any statement whatever as to what will be the duty on any partiiular article, we are able to state now, by repeating what was said a year ago, the lines upon which we think the tariff revision should take place. Speaking last year upon this subject. I announced that it was the intention of the government to so change the tariff as to adopt what was known as the maximum and minimum system. I do not wish to say anything new on that subject. I will content myself with reading what I said a year ago, merely to remind the House of the matter. In the course of the budget speech last year I said :

> We have to-day practically a maximum and a minimum tariff, if I may so describe it, and then we have the British preference below that again. It would be well that in the revision that may take place we should adopt that principle as it now exists and deal with it more in detail.
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> I think it would be well for us to have a maximum general tariff and a minimum general tariff, and the British preference below that as we have it to-day. The maximum tariff would only be applied to those countries which pursue, if I may so call it, a hostile policy. I do not mean to say that they have any hostility to us, but simply that in the carrying out of their own affairs they adopt a trade policy which discourages trade with us. In that case, they cannot complain if we have a maximum tariff, and though we should guard against having an extreme tariff, we would be justified in saying that this tariff should be materially higher than the tariff which we are prepared to extend to other countries which are willing to trade with us on fair and reasonable terms.
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> The minimum general tariff, which would correspond to the general tariff to-day, would apply to such countries as do not legislate commercially in a spirit of hostility to us—perhaps that is not happily expressed; let me say, to countries that adopt more moderate tariff views; low tariff countries. Of course where there are favoured nation treaties in existence they have to be considered, but the principal nations which to-day adopt a high tariff policy have not any favoured nation arrangement, and therefore I think our hands will be free in that respect. So, we would have a maximum tariff, as we have the German surtax to-day, to apply to such countries as do not manifest a disposition to trade with us. We should have a minimum general tariff to apply to countries that are disposed to trade with us, and then below that we would have the British preferential tariff to apply to the mother country and to such colonies of the empire as it may be expedient to extend the benefit of that tariff to. I think, sir, that on this line, guarding carefully against extortionate duties, but also making a distinction between the countries which wish to trade with us and the countries that do not wish to trade with us, we can devise a tariff which will be in all its details fairly satisfactory to the country.

That, Sir, was the statement which I made a year ago, and which the House and the country, it is not too much to say, have accepted. I do not need to enlarge upon it to-day, but merely to say that the lines we then indicated we shall endeavour to fol-

low in the revision of the tariff as now proposed. But though we do not propose any extensive tariff changes there are one or two items that we do propose to deal with at once, because we have information that we think sufficient for the purpose. The items are not many, and they are not generally important, though no doubt each one is of some importance to the parties concerned. We propose to impose a duty on rolled oats of 60 cents per 100 pounds. That item is not specifically mentioned in the tariff now, it enters into a general classification with other things. We find that according to representations made to us, with the correctness of which we are satisfied, as the tariff now stands the duty on the raw material is actually higher than the duty on the finished article; therefore the change we propose will equalize the duties and remove that which the House will generally say would be an unjust discrimination.

Mr. FOSTER. Is that all it does?

Mr. FIELDING. That is all, it equalizes the duty. On the quantity of raw material it will even then equal the duty which will be levied on the finished article, and will only prevent the discrimination which now exists.

Mr. FOSTER. And if the oats are bought here?

Mr. FIELDING. Then of course it has no effect. But I am told that there has been a large increase in the importation of rolled oats, and our own mills have been idle because of this discrimination in the duties, and we are desirous of removing the discrimination.

There is another item to which I invite the attention of the House. The duty on dry white lead was placed in the 5 per cent list many years ago, at a time when there was no establishment in Canada producing that article. There has now been established in Montreal a very large factory.

Mr. R. L. BORDEN. What is the duty now?

Mr. FIELDING. It stands in the tariff at 5 per cent, at which it was placed many years ago at a time when it was considered almost a raw material, or what I might call a first process of manufacture; and there being no establishment in Canada for the manufacture of that article, no attention was drawn to it, and it remained on the 5 per cent list. But a large establishment employing a great many men has been erected in Montreal and is in readiness to go into operation. I am not sure but it is in actual operation at this moment, for the manufacture of dry white lead, and we see no reason why that establishment should not have the same degree of incidental protection or tariff advantage which other industries receive. Therefore we say that in order that there may be no unfair discrimination against it, and that it may be put on terms of equality with other manufacturing industries we are dealing with, we propose to make the article of dry white lead 30 per cent, subject of course, to British preference. This is connected, I may say, with the manufacture of lead in British Columbia. The House will remember that we have encouraged the lead industry out there by certain legislation. We are now producing pig lead in Canada, and the effect of this will be that the pig lead made in British Columbia will be brought down to Montreal and, under a corroding process, will be manufactured into dry white lead. The increase of duty on this article which is, I may say, the raw material of paint manufactures, will involve an increase at present of the duty on what we call white lead ground in oil; and we propose to make that, instead of 25 per cent as it now stands, 35 per cent. As respects other paints, we take no action at present, but leave that matter to be inquired into by the commission. But under this change, this factory I refer to, will go into operation, and it will then only have about the same advantage which we give to other manufacturing industries in Canada.

We make a slight change in the duties on cement, not a very important one, though the parties interested may regard it as important. The duty on cement is now levied per 100 pounds, the weight of the package to be included in the weight for duty. British cement and Belgian cement are imported in casks and barrels the weight of which is very considerable, and on which the duty at present is levied. But where cement is brought in from the United States in bags, the weight of the bag is so trifling that there is practically no duty on the package; but there is considerable duty on the package where the cement comes in casks or barrels from Britain or Belgium. In order to remove that discrimination we propose to put a tax of 25 per cent ad valorem on the bags which contain cement, which duty we think will equalize the conditions with respect to British and Belgian cement.

We propose a change with regard to the wines of South Africa. South Africa has given us the benefit of preferential trade. We are sending a considerable quantity of Canadian goods thither, but so far South Africa has not been able to send very much to us. The government of Cape Colony has represented to us that our preferential tariff, the preferential system which they have accepted, while it gives us an advantage out there, has so far not proved very useful to South Africa, because the things they have to sell are not purchased in Canada to a considerable extent. We, however, suggest that under this change they might be able to send us with advantage to themselves the light wines of

Cape Colony and the sister African colonies. We admit the light wines of France at 25 cents per gallon. The wines of South Africa are somewhat stronger, and as our tariff is now arranged, would not come in at the same rate as the light wines of France. In view of the fact that we are sending a good deal to South Africa, and in view of the fact that we are desirous of encouraging reciprocal trade arrangements with our sister colonies, and as we desire to give them some opportunity to send their goods into Canada, we propose that the light wines of South Africa—not Cape Colony only, because, though the application comes from Cape Colony, we prefer to put it on a broader line—we propose that the light wines of the South African colonies forming the South African customs convention shall be admitted into Canada at the rate of 25 cents per gallon, the same rate as the light wines of France. How far this will encourage trade with South Africa, and how far it will substitute the wines of that country for the wines of other countries, is a question which the future will decide. But I think that as this suggestion has come to us from our brethren in South Africa, and as it will give them some benefit out of this prefenential system. I think the House generally will agree with me in extending that advantage to them.

Mr. FOSTER. Might I ask the Minister of Finance whether Australia does not manufacture wines of about the same strength, and if so, is it the intention to discriminate in favour of one colony against another?

Mr. FIELDING. At the present time, yes, because Australia does not give us the benefit of any preference, South Africa does give us the benefit; therefore my hon. friend will agree with me that this is a proper discrimination. The colony of New South Wales formerly had a preference with Canada, but after the Australian colonies were united into a commonwealth, of course their tariff conditions changed and our preference ceased. I may say that we all appreciate the desirability of having preferential trade with our brethren in Australia, and we have taken steps to let them know that we are quite willing to make a preferential arrangement with them. If they are willing to make such arrangements with us, the item of wines will be one of the matters within our offer. But for the present, inasmuch as Australia does not give us a preference and as South Africa does, we propose to extend this benefit to the South African colonies.

The item of settlers' effects is one that has given some trouble during the past year, owing to a rather forced interpretation which some parties have been trying to give to the exemptions which we allow. We provide that settlers' effects shall be admitted free. It may surprise the House to know that the contention has been raised that a contractor coming across from the United States with a large amount of apparatus as a construction plant, is entitled to bring that in as settlers' effects.

Mr. FOSTER. He is an alien labourer.

Mr. FIELDING. He might not be. Whether he be an alien labourer or not we do not think he should bring his contractor's outfit in as ordinary settlers' effects and bring it in free of duty. We propose to strike out the item of settlers' effects and re-enact it in very nearly the same terms but with some changes so that it shall include the things which we all admit are properly settlers' effects, but that it shall not admit free of duty articles destined for sale in Canada or such things as contractor's outfits.

There is a provision in our Act for the temporary admission of machinery for the manufacture of sugar from the beet root, and there is also a provision for the admission of machinery of a class or kind not made in Canada to be used exclusively in alluvial gold-mining. It has been represented to us that this latter item is of the greatest importance to certain sections of our country, and notably to the Yukon, and that by extending this for a further period we would assist in the development of the Yukon. We propose therefore that both these concessions shall be continued until July 6th, 1906.

There is one other item which calls for remarks. In the last budget statement we proposed a change in the duties on British West India molasses, which was placed on the free list with the condition that it must come by direct vessel. It has been represented to us that that works a hardship on our sister colony of Newfoundland. Newfoundland sends out ships laden with fish to the West Indies which bring back molasses destined usually for the Newfoundland market, but whenever there is a surplus of that for the Newfoundland market the Newfoundlanders desire to send it to Canada, and it usually comes in by Halifax or St. John or other ports. Under the reading of our tariff as it now stands that would not be treated as a direct importation. We think it would be unreasonable to take an extreme view of this matter, having regard to the trade we already have with Newfoundland and having regard also to our desires to have the most friendly relations with our sister colony and the hope that some day she may see fit to join her fortunes with ours. We think under these circumstances that any suggestion Newfoundland may make with a view to improve our trade relations should be met in a good spirit and we propose to so amend that clause as to make it clear that molasses imported from any British country, although it passes through the colony of Newfoundland, when in the original package

shall be deemed to be imported direct and shall be entitled to free admission.

These, Sir, are all the tariff changes which I have to announce to the House.

Mr. BERGERON. Is there anything with reference to cotton ?

Mr. FIELDING. Cotton? My hon. friend has not been reading some of the cotton reports in the press.

Mr. BERGERON. I am asking my hon. friend if he makes any change ?

Mr. FIELDING. There is nothing. Many representations have been made to us of course with reference to various tariff items. We have dealt with some of these as to which we are reasonably satisfied our sources of information are complete. As respects the others we think it will not be too much to ask them to wait until the meeting of the Tariff Commission when all these things will be looked into with the utmost care, and with a single eye to trying to do what is best for the interests of the country generally.

In conclusion, we may all I am sure be proud of the great progress that Canada has made in the past and we can be no less proud that the conditions to-day are of the most hopeful character. I do not think that business is quite as keenly active to-day as it was a year or two ago. It will be correct to say that there is perhaps a larger degree of caution amongst our business men than there was, but that on the whole the condition is wholesome. Our industrial concerns as a rule are in good shape. There may be a few exceptions, as to which we have to make inquiries and see whether or not their difficulties are caused by the tariff, but speaking of the conditions of the country generally they are exceedingly satisfactory as I think hon. gentlemen on both sides will appreciate. The outlook in every respect then is hopeful. The reports of the present condition of our crops in all parts of the Dominion are of the most encouraging character, and we have every reason to have great hope and great faith in the results of the present year's farm operations. From all parts of the country the crop reports are even more than usually favourable, and I think our industrial condition in the main is good. With every prospect of an abundant harvest on land and sea, with our industrial establishments fairly well occupied, with immigration flowing into the country as it is, with the eyes of the world centred upon Canada as never before perhaps to the same extent, with the record of the past, with the outlook for the future, there is no reason why every Canadian should not feel the utmost confidence in the future of the Dominion.

With regard to immigration in the Northwest, to that country to which so much attention is now given, I am sure it must be a source of gratification that the flow of immigration is large and continuous. I am aware that there is some discussion, perhaps a legitimate criticism, as to whether indeed we are getting too many people into that country, and as to whether or not there should not be greater discrimination. However that may be I will say that—and I am sure on reflection hon. gentlemen on both sides of the House will have the same feeling—I have an abiding faith in the great powers of Canada and its institutions to receive and to absorb and to assimilate these people of all nationalities and make them instruments for the working out of a great future for the country. Nevertheless I appreciate the view which prevails I believe on both sides of the House that we should be particularly anxious to bring into that country a larger percentage of British immigrants. We are hopeful and have faith in the ability of the country to absorb the foreigner, but strong as our faith of that kind is it should not prevent our putting forth special efforts to bring into the country immigrants who are from our motherland. I am sure that in expressing that opinion I am but echoing the view of my hon. friend the Minister of the Interior (Mr. Oliver) who in entering upon his new office, full of promise of great future usefulness in his administration of that territory will, I am confident, take that view put forth every effort that is possible on his part in order that we may build up that country and make it what we all hope it will be, a populous and properous part of the great Dominion.

When the House resolves itself into Committee of Ways and Means I shall move the following resolutions :

1. That it is expedient to amend the Customs Tariff, 1897, as amended by subsequent Acts, to the following effect :

Schedule 'A' is amended as follows :

Item 158—Strike out the words 'dry white and'

The following items to be inserted:

8. (a) Wines of all kinds, except sparkling wines, containing not more than forty per cent of spirit of the strength of proof, whether imported in wood or in bottles (six quart or twelve pint bottles to be held to contain a gallon), when the produce or manufacture of any British colony or territory in the South African Customs Union Convention, twenty-five cents per gallon.

50. (a) Rolled oats, six-tenths of a cent per pound.

158. (a) Dry white lead, thirty per cent ad valorem.

158. (b) White lead ground in oil, thirty five per cent ad valorem.

Item 187 is repealed and the following substituted :

187. Cement, Portland and hydraulic or water lime, in barrels or casks, the weight of the package to be included in the weight for duty, twelve and one-half cents per hundred pounds ; in bags, twelve and one-half cents per one hundred pounds together with twenty-five per cent ad valorem on the bag.

Schedule 'B' is amended by repealing item 455 and substituting the following :

455. Settlers' effects, viz.: Wearing apparel, books, usual and reasonable household furniture and other household effects; instruments and tools of trade, occupation or employment, guns, musical instruments, domestic sewing machines, typewriters, bicycles, carts, wagons and other highway vehicles, agricultural implements and live stock for the farm, not to include live stock or articles for sale, or for use as a contractor's outfit, nor vehicles nor implements moved by mechanical power, nor machinery for use in any manufacturing establishment; all the foregoing if actually owned abroad by the settler for at least six months before his removal to Canada and subject to rgulations by the Minister of Customs: provided that any dutiable articles entered as settlers' effects may not be so entered unless brought by the settler on his first arrival, and shall not be sold or otherwise disposed of without payment of duty until after twelve months actual use in Canada.

2. The exemption from duty of machinery and structural iron and steel for the construction and equipment of factories for the manufacture of sugar from beet root, authorized by section 11 of chapter 11 of the Acts of 1904, is extended from April 1st, 1905, to June 30th, 1906.

3. The exemption from duty of machinery and appliances of a kind not made in Canada for use exclusively in alluvial gold mining, authorized by section 12 of the said chapter, is extended from July 1st, 1905, to June 30th, 1906.

4. Section 18 of the said chapter is amended by inserting after the word 'production' in the fourth line the words 'or from any British country.'

Hon. GEORGE E. FOSTER (North Toronto). Mr. Speaker, notwithstanding the apology which was made by my hon. friend the Minister of Finance I do not think he can be allowed to go scot free for coming down at this late date in the history of this session with his budget speech. He endeavoured to excuse himself on two grounds, one is absence for a month at the beginning of the session. That excuse is valid. The other was that it did not very much matter because he did not propose to make very large tariff changes. Now I think that is not grasping fully the idea of the importance of what is called the budget speech. In the past the budget speech has at times been mainly important because of its suggested tariff changes. To-day probably it is less a matter of importance than at any time during the history of this country in the last twenty or twenty-five years inasmuch as the forward step which has been taken by my friends opposite from the old abiding place of free trade to the trim and neat and new establishment of more thorough protection makes the matter of the budget speech of less moment to this country.

From this time out—and as long as hon. gentlemen opposite remain in their present frame of mind in that respect—the budget speech should be welcomed by this House as a means of discussing the finances of this country, and there were many expressions dropped incidentally by the Minister of Finance which would lead me to hope that he himself views it in that light. To come down to-day, after the session has lasted six months, in the middle of the dog days, when the House is thoroughly tired and the country even more so, after nine-tenths of all the expenditures which are contemplated for next year have been voted and have been more or less discussed, when it is absolutely impossible to fix the mind of the House or the country upon any fair discussion of financial matters; to bring down a budget speech at this particular stage of the session has no justification in necessity, is against all proper constitutional usage, and militates against what the annual financial review is specially meant for, a calm and thorough review of the financial status of the country and the contribution by both sides of the House of their best opinion and their best advice as to what is the proper financial policy for the future. If it were not showing a malevolent disposition I should almost venture to hope that if the Finance Minister ever offends in that way again, that the heat will be so great that he will have the absolute penalty for his dereliction of duty visited upon him almost instantaneously—not to the matter of utter death, but sufficient to frighten him from any such course in future.

As the Minister of Finance has not vaunted himself or his party unduly in his address, I propose to follow him in a very quiet and calm criticism of the various statements he has made. In the first place, we have about reached—for the present probably at least—the buoyant condition of revenue which has been somewhat striking during the last six or seven years. We are coming to the point now where, as we review the year before last, the past year and the year upon which we are entering, there is not very much to be hoped for in the way of increase of our revenues upon the present customs and excise basis. Therefore, the word of caution which was incidentally alluded to by the Minister of Finance deserves to be more than alluded to, deserves to be more than a word, deserves to be translated into an actual principle to guide the government and to guide it from this very moment forward.

My hon. friend has of course made his usual dilation on the surplus—I will say he did it with his usual fairness, because on the question of the surpluses I do not think he has ever been fair to the governments that preceded him. He calls the surplus of last year a magnificent surplus, and he was loudly applauded by those who sit behind him. The time was, if we wished to be reminiscent, when the strong men of the Liberal party questioned the right of any government to have a surplus at all. I cannot help but think that it was Nemesis close on the heels of the Minister of Finance when in a succeeding portion of his address he himself gave the very best possible reasons why he should not have a surplus. But a surplus he has,

and he calls it magnificent. It is a surplus that is more to the point than that; it is what you may call an accommodating surplus. You may view it from three standpoints; if you leave out certain items of adjustment in the public accounts the surplus will be so large; if you cease the charging to capital what the Minister of Finance plainly admitted never should be charged to capital you will have another kind of surplus; if you do neither of these things you will have a third kind of surplus, but whichever way you view it you will have a surplus. And so the conscientious thinker on the government side of the House who has scruples about any one of these three kinds of surpluses can still his scruples by throwing into the waste basket the kind of surplus he objects to and yet have a comforting assurance that there is still a surplus. The Minister of Finance said that unfriendly critics rather took exception to a surplus on any other ground than that all the expenditures of government should first be met and that then if there was any money left that was virtually and truly a surplus. The Minister of Finance dissented somewhat from that view of the case. Well, I will dissent with him from that view of the case, but only on one condition and that is, that you shall define by a strict and definite line what shall constitute capital expenditures and what shall constitute expenditures out of the revenue of the year. If you will do that and adhere to that in your appropriations and expenditures, then I grant you that it is possible to make a distinction between your capital expenditure and your expenditure on consolidated fund account, and have a true and unassailable ground upon which you can show a surplus and defend a surplus. Is that done by the government at present in power? In no way is it done by this government. If any one attempts in the appropriations or in the expenditures to trace out any definite line of demarcation between the one and the other he is landed into a maze out of which it is impossible for him to trace his way. He will have in one case a bucket which is charged to capital account; he will have in another place what you might look upon as a capital account expenditure—although this very seldom does happen—distributed to consolidated fund account. But, since our time and our administration the line of distinction between capital expenditure and expenditure on consolidated revenue account has become radically confused to the amount of millions of dollars per year, so that today it is not possible in any way to trace the defining line between capital expenditure and expenditure upon consolidated revenue account. When the Minister of Finance held that these might be circumstances in which you should apply money to capital account and so keep it in your books, I think I agree with him. But I rather think his comparison was not very happily chosen when he instanced the labouring man who was buying a house and said that he would pay for his house out of capital and charge it to capital account, when, if he was renting his house, he would pay his rent out of income and charge it to income account. The query would be where the labouring man would get the capital to pay for the house. Generally such a man buys a house with a very large mortgage upon it. Where does the mortgage come in? Does it go to consolidated revenue or income, or does it go to capital account?

When the Minister of Finance came to discuss the question of bounties he gave up his whole contention, for he immediately concluded that at least that was an item that was doubtful; he said that it might be fairly maintained that bounties ought not be charged to capital account.

Well, now I can conceive this: if the government undertakes to build a railway, the building of that railway, with all the costs and charges incident thereto from the time it is begun until it is finished, is a fair item to charge up to capital account and let the future users of the railway in the country carry their proportional charge of the burden instead of our paying for the whole out of income and making the cost of the construction of the railway a charge for the years in which it is being constructed, a burden placed upon the taxpayers who have the misfortune to reside in the country and pay taxes during these years of construction. That is a fair line which we may take, but the moment that railway is built and constructed and in operation and therefore finished, that capital account ought to be at once closed and the operation of the railway and the maintenance of the railway should thereafter go to income account, year by year, and should be placed against the revenues of the road. That is a fairly plain thing. We owned that railway. We had invested money in it. That is our capital investment in it, but when you pay an oil bounty or a steel bounty or a binder twine bounty and you pay it for ten years, have you any more interest in the binder twine companies or the oil company or in any of the companies than you had when you started to pay first? It is plainly a wrong method to treat that as a payment on capital account. It is a subvention or aid and you might just as well charge to capital account any of your subventions or aids to any of the steamship companies plying between different parts of this country or between this country and foreign countries. The capital that owns them at the first, owns them at the last. They make the capital expenditure. We do not make it. We simply give an aid or a subvention for the purpose of improving trade or commerce. So in regard to every dollar of our bounties. So in regard to every dollar of our railway subsidies. If Mann and Mackenzie raise their capital and

build a railway they constitute a capital account, but when we give them a subsidy of so much per mile and they invest that in their railway we are not investing in a capital account at all, we are giving them an aid or a subvention for the purpose of helping to develop the resources and to advance the progress and prosperity of our country. No subsidy to a railway company and no bounties or anything of the kind ought by any possibility to go into capital account. I take that position, I take it fairly, I believe that is the proper position to take, and it is only when taking that well-defined position that we can make any distinction between capital and consolidated fund expenditures or come at the exact basis of what is a legitimate surplus.

Now, my hon. friend—and this is what I want the House to mark—argued that there was a class of expenditure which we ought to charge to capital account. The very moment he argued that—and I agree with him—that very moment he put the strongest argument to this House in favour of keeping your taxation simply up to the limit that is necessary to carry on your expenditures except those which are capital expenditures. But, if you keep your capital account to a certain and well-defined line there is no necessity for overtaxing the people. Only then should you tax to the limit of what is necessary to meet what you may call the current or consolidated fund expenditures of the country. So that, he argued himself at last into an exact agreement with the position of the older men of the Liberal party of years ago, who, upon the very same line, said that you ought not to take from the people more taxes than were necessary for the needs of economical government from year to year—not from decade to decade—but from year to year, evidently on the principle that there is a class of expenditure for the development of the country which it is unfair to call upon the taxpayers of any one year to meet, and as equal advantages go to the taxpayers of succeeding generations they ought to be in all fairness entitled to pay a proportion of the expense and to contribute to the upkeep.

But, when my hon. friend was talking about surpluses and vaunting his surpluses, did it not strike him that before him and after him there were some voices that might appeal to his ears for caution and fair play? Let us take, if you will, those years during which the Liberal-Conservative administration was in power in this country from 1879 to 1896, and turn to page 84 of the capital account and to other pages of the public accounts which show the expenditures and current revenue receipts and what might have been charged to capital account expenditures, and what do you find? That immense capital expenditures, amounting to scores of millions of dollars,

were made in the building of a great Canadian line of railway. Look also at the columns in reference to the Intercolonial Railway and you will find that a great many millions of dollars were spent for the extension and upbuilding of the Intercolonial Railway. Look also at the canals which were then at their most expensive period and you will find many millions of dollars expended for canals. Now, Sir, add these three items, the Canadian Pacific Railway, the Intercolonial Railway and the canals together and then come to the time when hon. gentlemen opposite came into office, when the canals were practically finished, when the Canadian Pacific Railway was entirely finished, in so far as subventions or aids go, and when the Intercolonial Railway was finished, in so far as capital expenditures were concerned, to a very large extent, unless some further extensions of the road were to be provided for as have since been provided for. But what I wanted to call the attention of the House to is that it would only have been fair in showing the less quantity of surpluses that we had during our administration to have called the attention of parliament and of the country to these three great items of expenditure and to have said: there is a reasonable reason as to why the surpluses of the Liberal-Conservative party were less and as to why their increase of the debt was greater. With these voices from the past mingle the voices from the future which my hon. friend has heard tingling slowly, tingling gently in his ears as yet, but which in crescendo note will grow in volume and grow in strength until he comes to the time when he shall have borrowed $100,000,000 to $150,000,000 to complete the great railway which this government has undertaken to build. The condition of things facing my hon. friend will then oblige any Finance Minister, who gets up before this House in future years, to show great increases in the debt and diminishing surpluses, because from this time on, in addition to the usual and regular outlays of the government—constantly increasing. I admit—there is to be at least one great public undertaking which will involve a capital expenditure of from $100,000,000 to $150,000,000. I just leave that criticism where it is, and I think it is a fair criticism to make.

My hon. friend next took up the question of interest, and he took credit to himself, in a modest kind of way, for being able to make the statement that whereas in 1897 $9,200,000 was the net interest paid and in 1903 $9,000,000, in 1904 it is a little less than $9,000,000. And he would fain have this House believe that it has been by some wonderful management of this wonderful government that this was brought about. I think that an explanation of the facts

will set this matter very easily right before the country. Two things have contributed to it. In the first place, the older loans of this country naturally went at a higher rate, now money is cheaper. It happened so. I do not think even the most ardent admirer of my hon. friend would say that it became so because he and his party came into power. It also happened that during the eight or ten years—a part of which has just passed, a part of which is passing, and another part of which has to come between this and 1913—a very large amount of these old loans at high rates of interest have fallen in or will fall in; and such is the condition of the markets in the world—not brought about, I imagine, by any policy of the present government—that whereas 6 per cent, 5 per cent, 4½ per cent and 4 per cent were paid for the loans which were running, it is possible to take these loans up at their due date and substitute for them money which can be borrowed at 3 per cent and at 2½ per cent, or at certainly a little less than 3 per cent, all costs and charges taken in. Now, if my hon. friend had said that during the last few years more than $22,000,000 of 4 per cent loans have fallen in, replaced by money at 3 per cent; that more than $7,500,000 of 5 per cent loans have fallen in, to be replaced by money at 3 per cent; and that a certain quantity—not a very large amount. I suppose—of the six per cent loans have fallen in, to be replaced by money which can be borrowed at 3 per cent, he would have come to a total of nearly $30,000,000 on which, up to the present, he has had the benefit of a reduction of interest, because they fall in from the high rates and have been renewed at the low rates. That makes the difference; and if my hon. friend had had to pay on all that money the same rate that was being paid at the time he came into office, he would have about $2,500,000 more to add to his interest account during the past eight years.

But it goes further than that. It will be recollected that the late Liberal-Conservative government paid 4 per cent on saving and post office bank deposits, and after that 3½ per cent, but that after the hon. gentleman came into office he reduced the interest on saving bank deposits to 3 per cent and wanted to reduce it to 2½ per cent, but was baulked by the evident disinclination of the country to agree with his policy in that line. Since our time this hon. gentleman has been having the benefit of some $56,000,000 of deposits in the post office savings banks at ½ per cent and 1 per cent less interest than was paid by the government which preceded him. Any one can see that ½ per cent upon $56,000,000 of these deposits in a single year makes an item of $285,000. If he had paid the same interest on savings banks deposits that we paid, he would have the large item of $2,280,000 to add to his net interest account in the eight years. That added to the $2,500,000 above noted makes $5,000,000 and the hon. gentleman can have nothing to boast of from his policy or administration when he talks of the lowering in the amount of interest that is being paid. That criticism, given from a state of things as they are, effectually disposes, I think, of any vaunting with reference to the diminution in the net interest account.

We come now to the year 1904-5, and we find that the consolidated revenue expenditure estimate comes up to $62,200,000. The estimates of receipts come up to $71,200,000, which leaves about $9,000,000. And the hon. gentleman calls that his surplus. Again I say it would be a surplus if we had a proper distinguishing line, and had it adhered to, as between capital expenditure and expenditure on consolidated revenue account. But the matter assumes another aspect when he has to add to the $62,200,000 his $12,500,000 of so-called capital expenditure, including subsidies to railways and bounties to these different industries which are being subsidized by bounties. He then finds that his surplus over all expenditure diminishes from the $9,000,000 to a deficit of $3,500,000, or, with the sinking fund, he can charge a deficit of $1,300,000.

I am not going to be a prophet of any disaster, but it is quite possible that the buoyant point of our revenue for the present has reached its maximum or very close to it; and it is a pretty grave statement which my hon. friend makes when, with that stationary condition of revenue and a deficit on all expenditure of $1,300,000, he shows that the expenditure was greater by $5,000,000 than that of the preceding year, and shows an unexampled estimate of expenditure for the present year. While he shows that, he does not still think there ought to be any alarm taken. Yet he states, when he comes to speak of the business conditions of the country, that business men are using caution. So they are. And what business men use, I think statesmen may use as well as regards these phases and conditions of business and finance in the country at large. And I think it would have been well if this year the government, instead of launching out into expenditures at a rate unexampled and increasing in some departments to a most startling extent—if instead of doing that, they had, at this, the beginning of a new term, emphasized the era upon which they have entered with a reasonable and economical estimate, considering the state of the finances of the country and the future obligations we have undertaken, we might look with more confidence to the future. But instead, the hon. gentleman says it is impossible to curtail the expenditure.

The armouries must be built, the railroads must be built, the breakwaters and wharfs, the canals, the public buildings, must be built. Granted. But every man of business capacity cuts his garment according to his cloth; and the government has no right to refuse to exercise business

precaution and cut its garments according to its cloth. When was there a time in the history of this country when you could not have said that it would be well to have an armoury built, in every county may be; to have a wharf built every mile along the rivers and coast-line of our country? When has there been a time when it could not have been argued that this policy would stimulate business? Still, who was ever wild enough to propose that we should launch upon the expenditure of millions or go further in that regard than our capacity would warrant—that we should do otherwise than build these works as we can overtake them, so as to keep our expenditure within our revenue?

I acknowledge to you, Mr. Speaker, that I myself was startled when this morning I made up a little table, which I am going to give to the House. It is a table of expenditures on consolidated account, contrasting 1896 with 1904. It would have been made still more impressive, if I could have taken the year 1905. But it covers the period of the first eight years that these hon. gentlemen opposite have been in office.

EXPENDITURE on Consolidated Fund Account—contrasting 1896 with 1904.

Department.	Expenditure.		Increase.	Increase.
	1896.	1904.		
	$	$	$	p. c.
Justic	758,270	984,257	225,987	30
Agriculture	210,877	625,315	414,438	99
Civil Government	1,396,628	1,652,782	256,154	19
Fisheries	427,250	634,319	207,069	49
Immigration	120,199	744,788	624,589	520
Quarantine	95,247	217,765	122,418	130
Indians	908,063	1,079,781	171,718	19
		('93) 964,143		
Lighthouse and Coast Service	445,742	1,275,016	829,274	184
Mail Subsidies	534,916	851,748	316,831	60
Militia and Defence	1 137,713	2,252,030	1,084,317	100
Miscellaneous	172,363	960,089	787,726	450
Mounted Police	330,702	894,150	563,448	170
Ocean and River Service	181,451	566,546	385,095	210
Penitentiaries	385,227	448,845	63,618	11
Pensions	86,080	113,494	27,414	32
Public Works	1,299,768	4,607,330	3,307,562	260
Railways and Canals	126,443	400,862	274,419	210
Scientific Works	81,699	125,123	43,424	50
Superannuation	311,321	355,423	44,102	14
Customs	896,332	1,357,184	460,852	51
Dominion Lands	119,908	247,282	128,374	110
Excise	470,869	522,361	51,492	11
Public Works	159,460	454,700	295,240	190
Railways and Canals	3,826,225	8,397,433	4,571,808	117
Total	36,949,142	55,612,832	18,663,690	50
Marine and Fisheries	1,054,443	2,475,881	1,421,438	135

Increase in eight years of Conservative Government—

	Amount.
	$
1886	36,718,494
1896	36,949,142
Total increase	230,648
Increase per cent	$\frac{6}{10}$ of 1 per cent.

It will be seen that the increase in lighthouse and coast service was from $445,742 in 1896, to $1,275,016 in 1904, an increase of $829,274, or 184 per cent. And the increase in this service is almost entirely coincident with the coming into office of the present minister (Mr. Préfontaine). Let me take another one of this gentleman's departments. The ocean and river service spent in 1896, $181,451 ; and in 1904, $566,546, an increase of $385,095, or 210 per cent. And the fisheries, which increased 49 per cent is another of the departments in charge of this gentleman. Now let us take the whole Marine and Fisheries Department, three branches of which I have just given. Now, I doubt not that there are many men on the other side of the House, and I would not doubt that there are men even in the cabinet who had no idea that this great increase had taken place in just about three years.—In 1896 the Marine and Fisheries Department had an expenditure of $1,054,442. Last year, 1904, this expenditure had increased to $2,475,881, an increase of $1,421,438 or 135 per cent ; the large part of this increase being within the last three years. The table I have just given shows the relative expenditures during periods of eight years of this government and the previous government. It shows that in the year 1888, the expenditure of the late government was $36,718,494. At the end of eight years 1896, this expenditure had increased to $36,949,142, and an increase of $230,648, or 6-10 of 1 per cent. On the other hand, this government has increased from $30,949,142, which was the expenditure in 1896 under their predecessors, to $55,612,832—an increase of $18,663,690, or 50 per cent.

Now, I agree that, to a certain extent, increases are absolutely necessary ; they must be looked for as the country grows. But, even allowing for all that, we find here an increase which is perfectly abnormal, which, I believe, is unprecedented and is certainly unjustifiable as well. Nor does the last estimate laid on the table of the House for the present year, show any diminution in the rate of expenditure. It shows rather an increased rate of expenditure, and lays the foundation for still larger expenditures, from which it will be almost impossible, if not altogether impossible for the present government ever to recede. One trouble in all this is, I am afraid, that each department, more now than ever, is a law unto itself, each makes its own estimate, pushing on with an eye single to its own necessities, and does not take sufficiently into account the work of the whole and the immense added expenditure which it is entailing upon the country. The greater demands of the country, made necessary by the advancement and improvement which is going on, call for the careful consideration not only of the government and its followers, but of all the members of this House and of the country as well .

I wish I could believe that all these expenditures had been made for the development of the country, in accordance with the statement made by the Minister of Finance that the Liberal expenditures for the last few years have made for the development of this country. Well, have they ? I never knew that it would be possible to find in the province of Nova Scotia, for instance, the names of so many places where wharfs, and breakwaters, and piers could possibly be built, as I find in the estimate which has been placed before us this year. All geography needs to be revised, all knowledge by the most liberal-minded and best travelled has to be extended in order to grasp the almost infinite number of little places in the province of Nova Scotia where large expenditures are made, and I am bound to say, out of nine-tenths of which no corresponding revenue at all comes to this country, and very little corresponding advantage comes to the general development of the country. What is true greatly of Nova Scotia is true partly of other provinces. Quebec is a good second, Ontario comes in about even with Quebec; but taking size and population into account, Nova Scotia takes the cake, every time she gets the plum.

Now, Sir, I put on the order paper of the House a motion for a return of all these public works, what they cost, the revenue that we get from them, the amount of business that is transacted each year on every one of them. I have not that now, and consequently cannot well criticise these expenditures ; but that we shall have next year, and I propose to bring to the attention of this House and the country the facts of the case with reference to all these matters. Is it or is it not true that we are making unwise expenditures, and making expenditures which this Dominion government ought not to be called upon to make? After the warning of this year what do I find ? That the principle is even still more extended, and that there is actually a steamship subvention to a line of steamers to ply between Moncton and Petitcodiac, on the Petitcodiac river. That is about the most startling extension of the system of steamship subsidies that has yet met my view.

Well, Sir, has the money we have poured out like water on the Intercolonial added so much to the development of this country? $1,000,000 of a deficit last year, $2,000,000 of a deficit for the year which is just ended, with an unknown quantity for the years Petitcodiac river. That is about the most startling of all is the defiant apology, should I say—no, but the defiant assertion of the present Minister of Railways that he does not expect to see the time come when there should not be a deficit, and that he is not going to apologize for any deficit upon that road. Well, Sir, while I am on that point

let me make one or two observations with reference to that road. A road situated as the Intercolonial is, running, the most of it, through a reasonably good country, some of it through a very rich country, commercially speaking, and in the way of transport, with a capital account that draws no interest and makes no charge upon its freight, for instance, with no interest therefore paid upon the investment. Take that road and then take this other fact alongside of it, that in the whole of the United States and Canada there is no great line of railway which during these last few years, has not shown an increase in its earnings over its expenditures, and which is not paying increasing dividends to its stockholders. And yet you have an Intercolonial such as ours, not ending any longer in a field, but ending in the great city of Montreal, to which it was brought with great cost and expense, running between Sydney, and Halifax and St. John, and the commercial centre of our upper provinces; yet you have the Minister of Railways piling up deficit against deficit, while all the time his hand is in the public till for capital expenditures, and by the million they are dispensed for what, in other roads is charged up against the income expenditures of the road.

Now let us be honest with each other. Is that a state of things which can last? Is it a state of things which ought to last? As business men let us ask ourselves. Is there a reason for it? Yes. And what is it, and who has given the reason? The Prime Minister himself has given the reason, the head of the government, the head of the party; his reason was given in the city of Toronto. He said it was not the fault of the men, the most of them, and I think he said all of them, able administrators who have had charge of the Intercolonial—not their fault that it had never met its expenditures and that deficit had been piled upon deficit—not the fault of the men, not the fault of the railway. Where was the fault? That it was due to a vicious system of management. Now, Sir, that is an important statement made by the head of a strong government. Million after million in deficits charged up to the general housekeeping account, million after million each year charged up to capital and the interest going to the general account; deficit after deficit, and now no apology for it, but a settling down into an acquiescent attitude that this state of things is really desirable, that it should continue, and that it is likely to continue, and the whole of it due to 'a vicious system of management.' Yet the government sits there and does not turn over its little finger to change that vicious system of management, and put a system of management in vogue and in work which will put that railway where it can well be put.

I make no extravagant claim for the Intercolonial, but I believe it is an assertion which can be made and sustained, that the road, paying no interest on its capital account, that road running through the country that it does, if it were decently managed, if it were half decently managed, would pay its way and be no burden upon the taxpayers of this country, and go on forever in its beneficent course as a great trade artery, affording cheap rates between the maritime provinces and the upper provinces. But, Sir, it cannot go on in this way. What is the blot? The blot is that it is under partisan management, that no man exercises business intelligence and business administration on that road. The road to-day is in the hands of heelers. From the time that it starts out with the first puff of its engine at Sydney until it is put under cover at Montreal, through every constituency that it runs, it is not the railway management that rules, it is the party interests that rule. There is no man who has it within his power to put business men into every department of the work on that railway and say to them: You are there because of your fitness to do the work, you go the moment you prove to me that you are unfit for your work. That is a system which cannot be challenged. If there were a man so placed and who took that fashion of administering its affairs and if there were not a strong government to back him, the moment that he said: John Jones is not fit for his duty and must go, all the party strength in the constituency to which John Jones belonged would be on the back of that man—no, but on the back of the member and the minister in order to have John Jones kept on pay, whether he did his work properly or did not do his work properly.

There is no man in that railway to-day who has the power to say: I want just so many men and no more for all the departments of this railway. He has to take what the party managers press on the member and the member presses on the government, and consequently you have the railway filled from one end to the other with the inefficient and supernumeraries. Can we not rise above partisan considerations in the management of that railway for the country's interest and for the interest of the railway itself? Can we not make it a rule that a man shall be placed in charge of that railway because of his competency to manage it and that he shall be ordered to manage it with business ability or take the consequence, and then say to him: Putting that responsibility upon you and making that demand upon you we leave you to say just the number of men you want and just how long you wish to keep these men according to their efficiency. Even with that proper patronage is not cut out. If your manager wants a man to fill a position, if you must have party patronage, then he

indicates that he does need such a man, and if your representative of the county interested can furnish that man, able and ready to do the work, then the patronage is preserved and the object of patronage is subserved, but it is no longer vicious patronage; it is fair and reasonable, provided that you keep the manager in that absolutely essential position that he shall be the arbiter of appointment or dismissal. I can see a sardonic smile curving the lips of one or two gentlemen opposite. He says: That would not suit me at all; I want to put a man on when I want to put him on, whether Mr. Pottinger wants him or not, whether there is a place for him or not. Now, I say we have to get out of that system sometime in Canada or else we will never get where we should get in our administration. Are we ready to make an effort to get out of it now and make that effort on our own Intercolonial Railway? The trouble with that railway is, according to the right hon. gentleman himself, the viciousness of its management. Why not substitute a sane system?

I shall now take up one or two of the points noted by my hon. friend. As to his loan at 2¾ per cent I think he was fortunate in getting it at that figure, and I hope he may be able to run it along in the shape of treasury bills for a year or two at that rate.

As to the foreign currency, I am glad that an effort is being made to get rid of the currency which is now causing so much trouble and displacing so much of our own currency in our own country. I was somewhat surprised at the smallness of the estimate; I supposed it would be rather larger, but I imagine it is not so great as people who have not paid special attention to the subject would think it might be. What the minister proposes to do is to give the banks a premium for collecting that money. What does that mean? He makes it a point to the banks to take all that money at par it can possibly get because they will get ⅛ per cent on all of it. Now, what is the first effect of that? It is to take away what is at present a disability with reference to that currency. To-day the man who sees American coin floating about refuses it when offered to him if it comes in a large way because he fears his bank will not accept it or will charge a commission on it. Under this new arrangement a man will take it no matter how much is offered him because he knows he can take it to the bank and get par for it. The bank now has an inducement to take it because it gets ⅛ of 1 per cent on all it corrals and hands over to the government. To my mind that is open to this contingency; it will have the effect of making the trading public take more American money. They know that they can dispose of it at their banks at par. To-day there is a disposition against taking it because people do not know whether traders or banks will take it and fear possible trouble and discounts. This advises every one to take all that they can get as it as good as our own money. I am afraid that what the hon. gentleman proposes to do will not work out satisfactorily. I think that in addition to what he has done he should also make a stipulation that the banks should frown down the taking of this money and that in some way or other the public should be given the idea that if they pass this money in circulation they may possibly lose on it. The minister says that we can afford to do this although it makes the money as good as our own because it will aid the trading community. That is one way to look at it, but it is not the way to get rid of a foreign, alien and debased currency. No financier that I ever knew of ever undertook to get rid of it in that way. This would seem to me to invite it to continue in its course and to enlarge its current in this course. Every dollar of that money which keeps in circulation in Canada means a dollar of our Canadian money which is kept out of circulation, and a million dollars of Canadian currency put into circulation would mean a very large profit to this country. The only thing the minister does to decrease the currency is to say that for all you take of American token currency I pay you with a million dollars of our own token currency. That helps for the time being, but is it not trying to empty a stream which regularly flows back? The minister says this is being done as an experiment. A year will show whether or not the experiment will be successful, but in some way or other we ought to emphatically discourage the circulation of foreign and debased currency, more especially so when there is no possible way in which our currency can have the least circulation in their country.

Now we come to the tariff—and what shall I say of the tariff? Is there a sacred shrine which hon. gentlemen opposite have ever builded for themselves, in which they have installed their gods and said: These be your gods, O, Israel! and here we shall come and worship? Is there one single shrine that they have ever sanctified and filled and worshipped in that they have not within eight years demolished, from which they have not cast out their gods, and gone into what they used to call the old Canaanitish country and embraced their alleged false gods and brought them and put them upon a pedestal and bowed down to them to the very dust.

To-day, 1905, the Minister of Finance says: I cannot tell you what the duties will be, but I can tell you the principle upon which they will be based. A protective tariff! That is not enough. A maximum protective tariff! Even that is not enough. Add to it a minimum protective tariff! That is not enough protection. Add a retaliatory tariff! Well, that makes it about complete, and then for the sake of good neighbour-

ship put a preferential British and colonial tariff in along with it. There you have the tariff principle of this government; plus bounties, plus dumping machinery. There you have it, the ne plus ultra of protectionism in 1905. And yet the same gentleman who brought this budget in to-day toddled around through Nova Scotia and New Brunswick and every other province he could get into, and swore up to the gods that if there was one base and bad thing it was protection. He got on the top of a petroleum oil can and shouted to his hearers to come to the defence of the poor light burners of the country against the foul exaction of the tariff upon oil. There sits opposite me—no, he has gone—there sat a moment ago the gentleman who declared that when he came to arrange a tariff the Liberals would not base it upon the principle of protection, protection must be destroyed. There sat the right hon. gentleman who said: who dare tell me that we must take money out of one man's pocket and transfer it to another man's pocket. And yet, what are the Minister of Finance and the Prime Minister doing with their bounties? They are taking my money—I don't use any iron, except as a tonic now and then—they are taking my money that I have to earn out of my pocket and putting it into the iron-founder's pocket to help him to make iron for other people. They are taking my money out of my pocket—I do not use any twine—and putting it into the pockets of the binder twine monopolists in order that they may go on making binder twine for other people. They are taking the money out of my pocket and everybody else's pocket and paying it over in these different kinds of bounties, and yet the right hon. gentleman declared with unblushing face to his audience and a sunny smile on his countenance that when the Liberals got into power and reformed the tariff every vestige of protection should go out. Oh! it is a great temptation for me to become reminiscent to-day. These gentlemen wanted to make Canada a cheap country to live in. Is it cheaper to live to-day than it was in 1896? I do not need to invoke Bradstreet or Sauerbeck as an authority on that. Every man knows the answer to that in his own household. Is it a cheaper country to live in to-day? The answer is against the government. Have they found our great natural market which they said was an indispensable market; have they given us reciprocal trade with the United States of America? Look at the figures and look at their own humiliating recantation to this House, when after having tried to do what they stated they were absolutely certain they could do, they came back and declared that they found Uncle Sam not over well disposed towards reciprocity, and themselves convinced that this country hereafter did not need reciprocity anyway.

Mr. FOSTER.

Reminiscent again. Where is my old friend Sir Richard Cartwright? He is still a member of this cabinet. He thought he had headed the vessel towards a free trade port, but to-day he finds he is on board of a Kniaz Potemkine with insurgents in charge, steering for the revolutionary city of Odessa; the crew declared to be pirates, their officers ironed, and a revolutionary committee in charge.

Reminiscent again; a great country this we have. Why, there sits a gentleman, the very Minister of Finance himself, who in 1884, and in 1886, tramped Nova Scotia from one coast to the other, ferried over its rivers, not so well provided with wharfs as they are now; visited its ports which were void of breakwaters and piers; wandered through its wastes and outplaces that had no armouries and no public buildings, and prayed to every good citizen of Nova Scotia, for the sake of the future to arise like one man, break this bond that unites them with Canada and throw in their lot with the United States of America, which country was their natural market.

Reminiscent again. Where would we have been if the Minister of Finance had been as sincere as his professions; or as strong as his desires—and had taken Nova Scotia and with it New Brunswick and Prince Edward Island out of this confederation? Reminiscences: we mention one more of them. If in 1891, these gentlemen opposite had won the election into which they had put their whole force, and had concluded unrestricted reciprocity with the United States, where would have been this great young country which one night did not exist, which the next day appeared in the enlarged horizon of the right hon. gentleman and his government as a newly discovered nation. Do you need these reminiscences? There is nothing left which they set up which they have not demolished. There is no sweet morsel of the once Liberal policy which has not turned to ashes in their mouths. Are they of saner minds, of riper judgment now? Anyway, to-day they come to this parliament with principles of an out-and-out protective tariff. Not satisfied without making it protective, they are going to have it retaliatory; they are going to have a whip with a snap to it so that if any recalcitrant country under the leadership of such upstarts as Emperor Wilhelm or the Czar of Russia does what is wrong with reference to Canadian trade, they shall raise the whip and snap it and strike. Retaliation! Why, retaliation was once said to be the height of utter nonsense in matters of trade or tariff.

Well, there are other things I might say but, I do not wish to come back after six o'clock and I will ask my hon. friend the Finance Minister to bear with me a few minutes longer. When the hon. gentleman was taking the future into consideration did

he think of certain things that he will have to do? It seems to me that there are certain things that did not come into his calculation. Right before him in the near future he has to make financial provisions on a gigantic scale. Between now and 1913 there are about $140,000,000 of loans now pending which will have to be met by reborrowings. In the space of seven years from now, no matter what the conditions of the country are, no matter what reverses may take place or what cycles of depression may occur, the Minister of Finance of Canada has to go into the money markets of the world and provide for $140,000,000 for the replacing of old loans.

That is startling in the first place, but he has not only to do that; he has to go into the money markets of the world within ten years and provide for fresh loans of from $100,000,000 to $150,000,000 for that section of the Grand Trunk Pacific Railway which the government is obliged to build. That is, that within ten years time, or less, this government has to face the raising of $250,000,000, to $300,000,000 odd and more in the markets of the world. Anything is liable to happen and a prudent man must have an eye on contingencies. If cycles of depression come when these immense works are upon us, and if these immense national responsibilities have to be shifted do we stand in the best possible position with the revenue pledged up to its hilt for the current expenses of the country and with all these borrowings and deplacings of money by borrowing to be met by this country? Why, it would seem to me that some of the ministers, at least,—I do not know whether all of them—think it is as easy to deal with these mighty financial problems as it is to roll off a log. I was amused when my hon. friend the Minister of Customs (Mr. Paterson), in some of the campaigns of last year, talked about the mere trifle that the building of this section of 1,900 miles was. Why, he said, it would not cost this country more than $14,000,000. One surplus will wipe it all off. That is one way and a rather original way to deal with a great financial problem, but the fact remains for the practical man that he has to face the borrowing of $100,000,000, or $150,000,000, with the revenue pledged up to its hilt and likely to be over-pledged by the largely increasing current expenditures of this country. These things are matters, which, it seems to me, put the financial condition now-a-days far ahead of the trade and tariff condition and make it the duty of this parliament to very seriously and very conscientiously review the whole position and set its sails so as to weather the breakers which are certainly ahead. No one has more hope in this country than myself, no one has greater confidence in it, but this is not a country which can afford to play with honest and economical principles of finance and government and it seems to me that we are going far towards that at the present time.

Mr. PATERSON. May I ask the hon. gentleman one question?

Mr. FOSTER. Yes.

Mr. PATERSON. Does he think there will be no increase of revenue owing to the construction of that road?

Mr. FOSTER. May I answer my hon. friend by asking another question? Does he think he will get any revenue from that road for twelve years to come?

Mr. PATERSON. I think there will be a little increase of revenue from the construction of that road.

Mr. FOSTER. My hon. friend cannot answer the question by saying that he will get any revenue from that road for ten years. All that time he is paying interest on the construction of the road when it is not earning and cannot earn a single dollar. It is sunk money until it gets beyond the point where it is completed and in operation and where the percentage is being paid upon it, and that will not be for at least ten or twelve years from this time.

Mr. PATERSON Perhaps the hon. gentleman does not understand me. During this time will there not be an increase in importations owing to the construction of the road and an increase of revenue from the people who will be brought into the country, and from the general prosperity and increased trade will there not be larger revenues secured?

Mr. FOSTER. Will my hon. friend allow me to ask him another question? From now on to ten years hence, with our added population and with our added business, does he look for anything better than an increased revenue from customs and excise sufficient to meet the increased requirements of the country? If it does, I shall be heartily pleased but if it does it will be all it will do. I shall be very glad indeed if these hon. gentlemen are liable to meet all these extra expenditures out of revenue. But does my hon. friend take into account that he has created two new provinces now, and that he must provide for $618,750 for each or $1,237,500 for both out of his revenue this very coming year and that within a very short time he must raise that amount to $3,817,000? That will absorb some of the increased revenue that comes from increased importations owing to the increased business of the country. Does my hon. friend the Minister of Finance lose sight of the fact that my hon. friend the Minister of Militia and Defence (Sir Frederick Borden is coming down to this House with a scheme which will add $2,000,000 or $3,000,000 per year to the current

expenses of the country—$3,000,000 at least, and that is $3,000,000 which is taken out of the revenue for which no plea can be put forward that there is an increased revenue or earnings or anything like in reference to it. Soldiers are important and necessary, but soldiers are non-producers. They are the protectors of the country but they do not contribute to its industries or to its production in any sense. Does he not also remember that when the road is built, costing $100,000,000 to $150,000,000, for the remainder of the leased period of fifty years this government has to keep that road in its betterments and improvements? Is it not an axiom amongst railway men, that, granted that you build a road, finish it and first cost is done with, in the next twenty-five or fifty years you will spend as much upon it for actual improvements and betterments absolutely necessary as the prime cost of the road? What is that to come out of? It certainly will not come out of what we get back from the Grand Trunk Pacific. It pays interest if it is earned and then only. That money is to be raised and is to be sponsored and fathered by the people of this country.

Mr. Speaker, I am cutting short what I had intended to say but I shall add this and this only: My hon. friend was very quick to set forth to the people at large the favourable points, but there are some others equally true but not quite so favourable that he might have brought out. For instance, he might have said that the total expenditures in 1896 were $41,700,000, or $8.14 per head and that for the year 1904 the total expenditures amount to $72,300,000, or $13 per head. Now the total expenditures of the country on the per capita basis are nearly $5 per head greater than in 1896. In reference to the taxation of the country there is this that can be said:

In 1896 we took $27,200,000 in taxation from the people of this country at $5.46 per head. This last year we took $53,700,000 or $9.76 per head—an addition of $4.30 per head for every one in this Dominion over what was taken in 1896. These are things for the people to think of and things for this House to consider. You can go up to a certain point with the taxation of your country; but when you go beyond that, you overburden the country. When you exceed that, you are spending the people's money unprofitably and you are actually taking from their earnings, capital which, if not taken out, would be liable to reproduce itself ten, twenty, thirty, a hundred-fold. The axiom is as true as gospel that every dollar of unnecessary taxation you take from the people is so much extracted from their remunerative and productive capital, which otherwise they would employ in the constant processes of production and reproduction.

Yes, we are as a country prosperous today, but what are the reasons of our prosperity? Larger areas of lands cultivated, larger products raised from the land, and larger prices got for these products. The crops—that is the main reason, and the Finance Minister recognised that to-day. There is another reason—larger immigration and a better and more continuous settling of our own young people in our own Territories. We all hail that with delight. Provided the immigration is of the right character, we are glad to see it come; but I utter my earnest protest against what seems to be the desire to look to numbers mainly and to be a little too soft with reference to quality. You talk of assimilating these people. Take the immense immigration that went into the United States last year, more than a million, and divide it up into its eighty million, then take ours and divide it up amongst our five million—we have more comparatively to assimilate than has the United States. But we have not the same processes and conditions for assimilation as the United States. We must go carefully. We must pick and choose a little more. We must distribute these immigrants, when they come in, and let them mix among our own people, and in that way assimilate more readily with our people than if they are gathered into colonies, where they keep to their own faults and notions and certainly where they do not get a proper appreciation of their new conditions. Increased industrial productions and increased employment in those productions—these three explain the increase in our prosperity.

Now just as one passing reminder, given in all Christian charity, let me remind this House and hon. gentlemen opposite that eighteen years of Conservative labour and toil, of Conservative expenditure and achievement, laid the foundation for all the greatness and prosperity which these gentlemen boast of. And finally, after we built the house and cultivated the land, they have only become tenants of what was built for them, and are reaping where others sowed.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. W. F. COCKSHUTT (Brantford). Mr. Speaker, I listened with much pleasure this afternoon to the Minister of Finance (Mr. Fielding) delivering his budget speech. There were many items of interest that must be satisfactory to all members of the House, as well as to all citizens of the Dominion. I would not weary the House at this late stage of the session by speaking upon a question of this nature, were it not that I come from a city whose industries depend almost entirely upon the markets of the Dominion and of the world. The city of

Brantford, which I have the honour to represent, is the third exporting city of the Dominion of Canada, so far as manufactured goods are concerned. At least that was the case until recently, and we believe it is so still. But, owing to the way the figures are assembled by the Customs Department, we cannot very well determine whether we hold the position that we held for several years up to three or four years ago or not. The nature of the constituency I represent must be my excuse for addressing the House upon this question. The city of Brantford, with a population of 20,000 or thereabouts, has 4,685 hands employed in its various manufacturing industries. So about 25 per cent of our whole population is actually engaged in the work of the factories. The wages that were paid in 1904 in that small city amounted to about $1,850,000. These figures, I think, will show you the reason why I am interested in this budget debate. I desire, in the first place, to join in the criticism made by the hon. member for North Toronto (Mr. Foster), when he spoke of the delay which led to the bringing down of this budget speech during the closing days of this session. This, the most important business of parliament, is brought before us at the eleventh hour, when the House, after sitting for six months, is almost exhausted. This, so far as I know, is without precedent in the history of the parliament of Canada. True, the Finance Minister has given reasons why he did not bring his budget down as early as might have been expected. The first reason was that he was absent from the country. That, of course, is a reason. Whether it is a sufficient reason for this country is open to question. Another reason was that there has been a debate on the Autonomy Bill lasting for about four months. This was the second and, I think, the only other reason for delay given by the Finance Minister. I hear that it is the intention to close this budget debate to-night or, at the latest, to-morrow. Surely, during the four months when this Autonomy Bill has been before the House, two days might have been found in which to make the budget speech and lay before the country, the waiting country, the country that is deeply interested in the Finance Minister's pronouncements on this matter, the state of its affairs and the intentions of the government as to changes in the tariff. It is true that the minister has said that another reason why he did not bring down his budget earlier is that there were no special tariff changes. Then he proceeds to enumerate some small changes. I am not here to criticise these changes that have been announced. They are all, I believe, in the direction of increased protection. And I stand where I have always stood, ever since I began to take an interest in public affairs, as a believer in moderate protection, adequate protection, for home industry. And I desire to take this, the first opportunity that has been afforded me, to place that sentiment on 'Hansard.' I believe in adequate protection for the industries of this country; I believe in Canada for the Canadians.

Mr. CAMPBELL. What is adequate protection?

Mr. COCKSHUTT. Adequate protection, Sir, is protection that protects. If you ask me what clothing I am going to wear, I want to know before I answer what the temperature will be. When I know this, I know what protection my body will require against the cold. Adequate protection for this country means protection that will keep out the goods of foreign countries that are now flooding our markets and crippling our industries. If you will tell me what protection is necessary to keep out these goods, I will tell you what adequate protection is.

Mr. CAMPBELL. That is prohibition.

Mr. COCKSHUTT. I am coming to something that will interest the hon. member for Centre York (Mr. Campbell) if he will keep his equilibrium for a little while—I am going to deal with market garden stuff before I get through. The Minister of Finance has given us these reasons why he did not sooner bring down his budget. I contend that these reasons are not adequate. It is true he has said there will be a few minor changes in the tariff, and other changes must wait. Other changes must wait until what? Until a commission sits to decide whether or not these changes shall be made.

What is going to happen in the meantime? What is going to be the result of this delay? That is not taken into consideration. No account is taken of the industries that, the minister knows, are to-day trembling in the balance. What this House and this country want to know from the Minister of Finance and his proposed tariff commission is whether the commission is to be a life-saving crew or a coroner's jury. The work must be done soon, or it will be a mere coroner's jury. This parliament has been in session for six months, and not a single stroke has been done by the tariff commission. Why, the Minister of Finance tells us that the tariff commission is not even constituted yet. And the Minister of Finance knows very well that, not from one or two centres, but from many, deputations have come to him telling him that it is a necessity of the situation that immediate relief should be given to many of the great industries of this country. And up to date the hon. gentleman has turned a deaf ear to these claims. And all that has been done this afternoon, in answer to the representations that have been made to him, is to put a duty of 25 per cent upon bags in which cement comes into this country—that is his sole answer to the various de-

putations that have come down to him and pointed out that several millions of capital invested in various lines of industry are trembling in the balance to-day. He tells us that he is going to appoint a tariff commission that will report, perhaps, in a year. How many factories will have gone down in that time? How many men will have been drowned, commercially and industrially speaking, before the government will decide whether they will or will not lend a helping hand? If the Minister of Finance were in his seat—and I hope he will be before I finish—I would give a list of industries in the small city of Brantford that have gone to the wall since he became Minister of Finance. In many cases these industries have appealed to this government to give them adequate protection. But in vain. And what is true of these industries is true of many other industries throughout Canada. I am not going to weary the House with a great array of figures; but I am here to say that I know, of my own knowledge, of several industries that are in immediate and urgent need of the promptest kind of assistance that the government can give. And, what is more, the Finance Minister knows of these industries as well. I have had the honour of attending one or two of the deputations that waited on the Minister of Finance and laid before him their difficulties and grievances and their request that he stretch forth a helping hand to them. And he rises here, calm and placid, and tells these gentlemen who have come to wait upon him and have shown him that millions of capital are in danger of being swept away: You must wait until our tariff commission sits and decides whether or not we will lend you a helping hand. What about the bankers of these gentlemen? What about the workmen in these factories? What about the proprietors of these industries? No sympathy for them—no help extended; the Minister of Finance simply tells them that they must wait until his tariff commission sits and investigates, and decides whether or not it is advisable to give them the help they need.

Now, Mr. Speaker, if I were speaking those words of my own accord and out of my own heart and belief, there might be some reason for doubt in the minds of hon. gentlemen opposite. But I am going to tell them that the very same speech I am delivering now was delivered by my predecessor in office.

An hon. MEMBER. My hon. friend said a moment ago that many industries in the town of Brantford were suffering and almost going into decay for want of protection. Would he mention some lines of industry that are suffering?

Mr. COCKSHUTT. I am coming there in a moment. I was saying that the same speech I am delivering now was delivered by my predecessor in office in the year 1902, as found in 'Hansard' on page 1455 of that year. Mr. Heyd, then representing the same constituency I have the honour to represent, made a long and urgent appeal on behalf of the cutlery industry that was in the last throes of commercial ruin. Mr. Heyd spoke knowingly, I believe on that occasion he spoke the truth, he spoke of what he knew to be a fact; and further, he had the assurances of this government that they would give him a helping hand. I believe a deputation from that city waited upon the Minister of Finance, and if I mistake not, the Minister of Finance promised assistance, and that deputation returned to Bantford with the assurance that the industry would get help promptly. Now that is a fact that I am well aware of. They returned to the city of Brantford after having this interview, and reported to the shareholders that they would get help and get help promptly; but in the meantime they must put in $2 for $1 and save the industry until the government had time to move. What was the result, Mr. Speaker? The shareholders met, they put in $2 where they had $1, in the hope that this government, that this Finance Minister who spoke this afternoon, would redeem his promise. They put in $2 for $1, and what happened? The government turned a deaf ear, they refused to redeem the promise; and that industry, with upwards of $90,000 of capital, most of it Liberal capital, went down to its grave because the Finance Minister and others associated with him refused to extend that helping hand that they had promised to give that industry. No cutlery industry in Brantford to-day, the factory has been nailed up for two years, and upwards of $90,000 of capital, in a few hands, went down, and 75 employees were turned out of work because this government would not act as it had promised to act.

I charge here and now that at least one-half of that capital is chargeable against the very balance that the Finance Minister showed to-day in his favour. He showed a large surplus, he has earned part of it by importing cutlery and charging 25 per cent or 30 per cent, and letting this industry go down. If the minister would only deduct from his surplus the value of the industries he has ruined by his policy, he will find not only that his surplus has entirely disappeared, but that there is a very large deficit. Now that is a fact, Mr. Speaker. I know whereof I speak, because I was one of the unfortunate shareholders who received this report from the minister, and had faith, even though a Conservative, that this minister would carry out his promises, and I put in $2 where I only had $1, and lost them. The Minister of Customs smiles. Well, he says: So much better for the Customs Department. It received

the duty upon cutlery at the expense of that industry in Canada. I want to say that there is one of the weaknesses of this government's policy. Their whole attention is bent on increasing the imports, and that is going to lead to the destruction of a large number of the industries of this country if it is not very soon checked.

Now, I am going to back that up with some figures before I get through. I have the blue-book showing that what I say is correct, that this government has steadfastly increased the imports from foreign countries, and it now comes down here and swells itself because it has a surplus, a surplus that is made up to a large extent of the life blood of the industries of this country. I am here to state that, because I know it to be true. The industries of this country are to a large extent living upon the impetus that was given them by the tariff of 1878 and down to the year 1896. There is scarcely a great industry in the city of Brantford, and the Minister of Customs knows it as well as I do, that was not established prior to the present government coming into power. That tariff was framed by Sir John A. Macdonald and Sir Leonard Tilley in 1878, and that was the backbone of the manufacturing industries of this country, and from that time until the hon. gentlemen opposite took office there was a steady increase and growth all along the lines of manufactured goods.

Now it is true that protection never does make as good a showing on paper as free trade, and why is that? Large imports and large exports added together make a great showing. It is like comparing the work of a merchant and the work of a manufacturer. The merchant buys $100,000 worth of goods and sells them perhaps for $125,000, making a profit of $25,000. The manufacturer turns out $100,000 worth of goods, but he has to pay out a large portion of that in wages, though in that way he retains in the country that much money which otherwise would go out, and he is at the same time furnishing employment to a vast number of hands.

Now, Mr. Speaker, I have mentioned but one of the industries that have gone down under the management of the hon. gentlemen opposite. I have been asked by my hon. friend opposite to name some of the industries that are trembling in the balance. I want to tell that gentleman now that we have two binder twine factories in this city of Brantford whose life hangs in the balance to-day because this government has refused to listen to the urgent request of a deputation that waited on them since this House opened in January last. No one here can deny that statement. I hold in my hands a map showing the various places in which binder twine is manufactured in this country, and in order that there may be no misunderstanding about it, and no saying that this is a hole and corner industry, I will read where these factories are situated: In Walkerton, 1; Peterborough, 1; Ayton, 1; Montreal, 1; Chatham, 1; Brantford, 2; Toronto, 1; Kingston, 1; St. John, 1;—in all 10 factories. These factories have all been represented here by a deputation who waited upon the Finance Minister and told him the urgent need there is for immediate relief to the binder twine industry. And what have we got? Not a word of encouragement, nothing to enable them to say to their bankers to-day: Hold on a little longer and we will make it all right. Not a word of encouragement, but a cold blanket is thrown over their heads to-day in the shape of a tariff that promises no redress to this grievance. And as if that were not sufficient, this amount of capital which is to be wiped out and these workmen that are to be turned out of employment, what does this government do? It establishes in the Kingston penitentiary a binder twine industry further to throttle an industry that was already groaning under the burden of a free trade tariff. That is what this government has done, they have installed a binder twine outfit in the penitentiary at Kingston, manufacturing twine and selling it, I presume, at a loss in order further to hit an industry that is not receiving one iota of protection from this government.

Mr. CAMPBELL. That was established by the old government.

Mr. COCKSHUTT. Well, I am not quite clear as to that, that when the old government went out there was a 12½ per cent protection on binder twine which the hon. gentleman's friends have wiped out.

Mr. CAMPBELL. Has not the hon. gentleman heard that the factory in Brantford paid 60 per cent dividend since this government came into power, and since the duty has been taken off?

Mr. COCKSHUTT. I believe they paid 60 per cent; but I want to tell the hon. gentleman further that they did not make it by favour of the government's policy, but they made it out of the Spanish-American war. Now, then, I hope the hon. gentleman has got his satisfaction on that head. They made it out of a rise in the raw material, and they could sell part of their raw material at a higher price than the binder twine. My hon. friend from Peterborough (Mr. Hall), who sits near the hon. gentleman, can give him a few pointers as to whether the binder twine industry in this country is entitled to help. There is more than one Liberal newspaper advocating this to-day, and I am surprised to find that the Finance Minister came down to-day and made his budget speech without

promising to give any help to this industry. No less a paper I believe than the 'Globe' a short time ago announced there would be and certainly the Brantford 'Expositor' has published several articles and no one would accuse it of being of Tory or protectionist inclinations but it has said there is every reason for this government to listen to the cry of the binder twine industry of this country. They have not done this, they have not given any help, they have not promised any help, and as far as we are able to ascertain that industry need look for no help from this government. They have simply announced that a tariff commission is to be appointed to ascertain whether or not help is needed. Whatever will become of these factories before the government and its tariff commission can act? There is little doubt that a number of them will be closed. Some are already closed and others will be closed without doubt before the government and the tariff commission can act, and I would submit that immediate relief is what is wanted and what should have been given. I contend that the Finance Minister to-day should have divided a little of that surplus, if he has one-half or one-quarter as much as he has claimed, with factories that are at present in need of that assistance. We are told very frequently in this House and in the country that this is an agricultural country. I do not know where the gentleman, who make that statement get their information but I am here to make the statement that this is no longer an agricultural country simply, that agriculture is not the leading industry as compared with the manufacturing industries of this country. That may be strange news to some but I believe it is the absolute truth. I propose to give to you a few items with regard to the production of manufactured goods in the Dominion of Canada; I propose to quote first from the very satisfactory finding of the hon. the Minister of Agriculture in his census report. I find that the capital invested in the manufacturing industries of Canada by decennial periods was:

1881	$165,302,000
1891	296,350,000
1901	441,353,000

The value of the products produced by these factories at these periods was:

1881	$309,000,000
1891	359,000,000
1901	452,000,000

The wages paid were, in round numbers:

1881	$ 50,500,000
1891	78,500,000
1901	88,250,000

These figures show the vast strides that the manufacturing industry has made in this country in the past thirty years. The number of hands employed in these factories at these periods was:

1881	254,000
1891	269,000
1901	306,000

Thus it will be seen that the amount of manufactured goods that this country is producing at the present moment equals the produce of the agricultural, the mining, the fisheries and the forest industries within a very small trifle, there is a trifle of $30,000,000 between the produce of the manufacturing industries and all the other great sources of production combined. We are to-day a manufacturing country and the sooner the Minister of Finance and those associated with him waken up to the fact that we are an industrial country as well as an agricultural the better for the country and for the tariff and those who depend upon it. It is too late in the day to say we are a free trade country or a non-industrial country. We have gone too far in that direction already, we have embarked too many millions of capital in those industries and why is the voice of the artisan and the mechanic, labouring day after day the year around, not as much entitled to be heard in the councils of this country as the voice of the farmer, the miner or the lumberman? When it comes to cities it takes about 40,000 to elect a member of this parliament whereas in a country district it takes only about 15,000, about three workmen in the city to balance one farmer, miner, or lumberman in the country. That is one of the reasons why the Minister of Finance does not give that attention to industry that he is called upon to give. This country, to-day is in a state that requires, so far as I can read the signs of the times, immediate attention to its tariff.

I said that I was going to give you some figures with regard to the imports into this country. I accuse this government of being a government that imports too much from foreign countries. In doing that they make a big showing on paper with regard to trade and they fill the coffers of the government out of duties collected. It is true that the party opposite before they came into power promised that they would reduce taxation, but that promise along with all the other promises they made has gone by the board. It is true they may tell you they have reduced by a fraction of 1 per cent the general tariff on goods, but will they tell you how much they collected per head from the population by the customs duties? If they do and tell you the truth they will tell you that where the late Conservative government were taking one dollar from the pockets of the people they are taking just two. That is the actual fact and I am going to read the figures so that there may be no mistake about that statement, that the duties collected by the present government

are just twice as much as those collected when the Conservative government were in power. The duties collected in the year 1896 were $20,219,637.32. In the last year reported, 1904, they were $40,954,349 or exactly $2 out of the pocket of every man, woman and child in this country to one that was taken out by the Conservative government in 1896. That is a quotation from the returns of the Department of Trade and Commerce and I believe will be found accurate.

I shall now give the imports of articles into this country. In 1896 when the government came into power there were imported :

Dutiable goods	$ 74,259,000
Free goods	38,525,000
Bullion	5,226,000
In all	108,000,000

In the year 1902 there were imported :

Dutiable goods	$127,955,000
Free goods	78,000,000
Bullion	6,000,000
A total of	212,000,000

In 1903 there were imported :

Dutiable goods	$143,000,000
Free goods	88,000,000
Bullion (nearly)	9,000,000
A total of	241,000,000

In 1904, the last year of which we have the figures, there were imported :

Dutiable goods	$156,000,000
Free goods	95,000,000
Bullion (nearly)	8,000,000
A total of	259,000,000

I want to point out one of the danger marks, as I see it. The imports have steadily and strongly increased all along the line ever since this government came into power, but what happened to the exports last year ? They dwindled nearly $20,000,000 in spite of the vast increase in imports. What does that mean ? It means that the balance of trade is between $30,000,000 and $40,000,000 against us as compared with the previous year. How long can this government go on encouraging foreign imports to the detriment of our industries in order that they may fill the treasury and come down here and announce so much surplus each year ? I say they are sapping the life blood of the industries of this country by that course.

I admit that many of our industries are flourishing, but that condition is not due to the policy of this government. It is due to the policy of the Conservative government that believed in protection as a principle and not as an expediency or as an incident. No incidental protectionist is entitled to dictate a tariff policy to a protectionist country. In this twentieth century protection is an applied science, while free trade is, so to speak, is a fixed science. Free trade takes things as they were in the beginning, are now and ever shall be, but protection says that whatever duty is needed at the present time to protect and guard the industries of a country, that duty shall be applied. The Minister of Finance sits there calmly while millions of hard earned capital accumulated in the past years is swept away because he refuses to do his duty by the tariff, and he tells us that one of the reasons for not bringing the tariff down earlier is that there are so few changes in it. I arraign the Minister of Finance because he has not introduced more tariff changes. I cite to him the woollen industry. He knows that eight or ten woollen mills have been sold under the hammer during the past year and that millions of dollars of the peoples' investments have been wiped out at a single stroke. And his remedy is a tariff commission which shall report some twelve months hence ; he lets the man drown and then he throws out a rope or a pole. This government refused to listen to the plea of the woollen industry. They told the woollen manufacturers : You do not know how to manage your own business ; why don't you put in new machinery and make your mills up to date. I want to tell the Finance Minister—I regret he is not yet in his place—that the present tariff is no inducement to the banker to lend the woollen manufacturers the necessary capital to place their industry on a firm footing. What encouragement has the woollen industry to put in machinery when the government refuses to lend the helping hand that is necessary to enable the banker to see that there is going to be a balance on the right side. I have figures here showing to what extent the Canadian woollen industry has deteriorated for the last ten years, and I find that the output was actually less in 1901 than it was in 1891, in spite of the growing times we hear so much about. There is no growth in the woollen industry; it has steadily declined, and knowing that the government has year after year refused to help it. There is also the cement industry. That industry has been appealing to the government ; that industry has been closeted with the Finance Minister. I had the honour of accompanying a deputation representing twenty cement factories, which made representations to the Minister of Finance. They told him : We have invested eight million dollars capital in that industry within the past five years and we fear that 75 per cent of it will be lost if you do not give us more protection. If the Finance Minister looks around him he will see that many of these cement mills are standing unfinished to-day, because the foreign imports of cement are so great that the Canadian factories cannot find a market for their goods, and the bankers will not

lend them money to complete their undertaking. This large investment in the Canadan cement industry is threatened because the Finance Minister says: You have help enough and you can live under present conditions. The Minister of Finance sets himself up as an oracle and he tells the cement people that 60 per cent duty—that is what he said it was—was enough. Well, the duty is 12½ cents per 100 pounds and at 350 pounds in the barrel it amounts to 50 cents per barrel. Let me give a brief history of the Canadian cement industry since it started five years ago. At that time the ordinary Portland cement—not as good as our own Canadian cement to-day—retailed in the city of Brantford at from $3 to $3.50 per barrel. To-day that cement, or better cement, can be bought for one-half the price or at from $1.75 to $2 per barrel. The Canadian cement industry has reduced the price to the farmers and large consumers of cement almost by one-half, and at the same time it is giving employment to a large number of skilled hands. It has shown great enterprise in the introduction of the most modern machinery to be found in the world and to-day the quality of Canadian cement is second to none. And what has the Minister of Finance done for this industry? He announced to-day that he will place a duty of 25 per cent upon each empty bag which cost 10 cents. He gives the cement industry a duty of 2½ cents on each empty bag. Now, these bags are returnable and the handlers of cement are either going to lose 2½ cents or they will fail to return the bag. I wonder which of these the Minister of Finance wants them to do. This great stroke of policy on the part of the Finance Minister may be a slight help to cement manufacturers, but if so, it will be at the expense of the handlers of cement. I myself handled American cement before the industry was established in this country, and I know that it was the invariable rule of the trade to return the bags, so that the cement was delivered at no cost for the package, but if it comes from a foreign country in barrels, the barrels cost 35 or 40 cents, the cement is no better and the barrel is useless afterwards. Hence it is that cement is sent in bags. These cement bags will be of no use hereafter if the Minister of Finance does not allow their return, and therefore the proposition which he makes to-day will afford no relief. But there are other important industries which are suffering for want of protection. I have mentioned the cutlery industry which is now wiped out. I have told him that there are two binder twine factories in my own city trembling in the balance, and I have pointed out that several other industries are feeling the pinch of the times.

A pottery industry that flourished in Brantford forty years ago and that has been carried on there unremittingly ever since until this year, is closed up and for sale.

There is another industry that stretched forth its hands to this government. Representatives of that industry came down at the same time as those of the cutlery industry and laid before the hon. Minister of Finance their plea. He turned a deaf ear with the result that that factory has been closed up. The hon. Minister of Finance does not appear to have returned yet and my time is getting short, but I must lay before the House a list of the factories that have gone down within my own knowledge in my own neighbourhood since the Minister of Finance took the seat he now occupies. I give him this list from the city of Brantford. I am not going to say that they are all due to the tariff. I do not think they are, but I say that many of them might have been saved if the government had done its duty. There were two pork factories. Most of the stock in one of these pork factories was held by 4,000 farmers who owned 4,000 shares of the capital of $250,000. They employed about 100 hands. This industry was wiped out in two years. There was also a pork factory carried on by private enterprise which went down at the same time thus showing that co-operation and private enterprise have equally failed to keep alive these industries. So, we find that $300,000 capital and 150 hands employed in these two pork factories have gone since the hon. Minister of Finance came in. A cotton mill, which at the time the hon. Minister of Finance took his seat employed 200 hands and was turning out a large amount of goods and shipping to almost all the markets of the world, has been for five or six years nailed up, not a wheel turned, not a door opened, not a single pane of glass to let you look in and see what is inside. There is an industry employing 275 hands and perhaps representing an investment of $150,000 or $200,000 of capital wiped out. A bicycle factory employing about 275 hands and paying the highest wages almost of any industry in Brantford has also been wiped out, a bicycle supply concern closed up and gone away, a cutlery works closed up and out of business, and a pottery closed up and out of business. There you have about eight large factories representing about $1,000,000 of capital closed up and about 1,000 hands thrown out of employment in the city of Brantford alone since the hon. Minister of Finance took his office. Now, you may say that Brantford must be a pretty poor place. I want to repeat what I said at the outset that it is the third manufacturing centre as far as exports are concerned to the markets of the world and in spite of the policy of hon. gentlemen opposite, in spite of the vain efforts of these hon. gentlemen to squeeze them out, there are industries established in Brantford that even the hostile efforts of the hon. Minister of Finance have failed to crush out. In the speech from which I quoted a few moments ago, made by Mr. Heyd in 1902, he read to

the hon. Minister of Finance a resolution passed by the Brantford Board of Trade and he told the hon. Minister of Finance that seven-tenths of the men who passed that resolution were Liberals and friends of his own and that every one of these men asked that the government give to Brantford the increased protection that its industries needed. Mr. Heyd made a great speech along that line. The only trouble was that when it came to the vote Mr. Heyd voted against what he had spoken about. If Mr. Heyd had stuck to his guns, I presume I would not be occupying a seat on the floor of this House to-night, and that Mr. Heyd would still have been in this House, but he failed to get that measure of protection that the manufacturers of Brantford expected from him, that he had promised and that he said this government had promised. When it came to the decision in November last the workingmen of Brantford knew what side their bread was buttered on. It is true many of the manufacturers in Brantford are hostile to me politically. Many of them are friends of mine, but they do not agree with me on many points, but almost all of them have declared themselves to be in favour of a higher tariff and adequate protection for the industries of the country. Now, I want it to be distinctly understood, that, in so far as I am concerned, I do not want any high tariff wall for the sake of injuring any other nation. All I want and all I stand for is a measure of protection that is adequate for our own requirements. I do not believe, because the United States build a Chinese wall, that it is necessary for us to do the same, but where they take an unfair advantage, where they dump in goods here in spite of the dumping clause and injure our manufacturers it is the duty of the Minister of Finance to see to it that the tariff is raised. A large part of the exports to this country are from the United States. We have a balance of trade of somewhere in the neighbourhood of $90,000,000 against us as between Canada and the United States. We buy from them about $3 worth for every dollar's worth they buy from us. They do not trade fair and they are not entitled to any consideration when it comes to looking after our own industries. This country is becoming an industrial country more and more. Our farming products are a comparatively small item against our factory products to-day.

Mr. A. A. WRIGHT. Would the hon. gentleman allow me to ask him a question ?

Mr. COCKSHUTT. Yes.

Mr. A. A. WRIGHT. According to the Trade and Navigation returns for 1903 the exports from this country amounted to about $225,750,000. The farming products exported amounted to $114,250,000, or more than all the other products combined, the products of the sea, the factory, the forest and all other industries. How did that come about when the farming industry is not a protected industry in this country ?

Mr. COCKSHUTT. It arises in this way. The farming industry produces more stuff than we can consume as far as eatables are concerned and therefore the surplus goes abroad, but when it comes to the products of our factories and when we manufacture about $450,000,000 worth in a year we consume about $430,000,000 worth and only have about $20,000,000 worth to send abroad. There are the facts as shown in the statistics, in the census report, and in the blue-books. The total exports of manufactured goods have slightly shrunk during the past year. They were $20,000,000 last year but they are only about $19,000,000 this year showing an unsatisfactory state of things. We should be going ahead. This country is prepared to and can manufacture in many lines against all the countries in the world if it gets a fair show. We know what is being done in the city of Brantford and what is being done there can be done in other parts of Canada if we get a fair chance. There is no country in the world that can manufacture better or cheaper agricultural implements than we can manufacture in Canada. These implements are being sold in all the markets of the world. Every country under the sun has more or less Canadian farming implements, yet in spite of that fact and in spite of the well equipped factories we have and which can produce more than we want, nearly $3,000,000 worth of agricultural implements were imported into the Northwest Territories in 1903 and over $2,500,000 worth in 1904. There is money that should be kept in the country. Not a dollar of it should go to the United States. Every dollar of it should be retained to the workmen of this country. They are entitled to it. If we part with our money and get our goods we part with half our assets. I want to give to you, Mr. Speaker, an axiom that was given by that old, long headed statesman, Abraham Lincoln, when he first advocated protection in the United States, and it will show to this House better than any argument of mine exactly what happens under protection as opposed to free trade or a moderate tariff. Abraham Lincoln said: 'If this country wants a ton of pig-iron and it sends its money to Europe to get it, it has got its pig-iron but it has parted with its money.

If this country takes a ton of pig iron from its mountains and manufactures it, it has got both its money and its pig iron.' There is a proposition that no amount of logic of hon. gentlemen opposite can gainsay or resist. When you send your money abroad to bring in goods, you have parted with your money and got the goods, but when you manufacture the goods at home you have both your goods and money. You

are better off and your farmers have a home market, and every one knows that the home market is the life of the farmer. Talk about your transportation facilities, you do not need so much of them if you have your market right at your own door. Why, the city of Toronto alone consumes as much farm products as are exported from the whole country. If that is the case, you can see at once the value of the home market to the farmer. You can see of what value these industrial centres that are springing up are to the farmers of this country. I submit it as a sound axiom that cannot be gainsaid, that the true policy for Canada is to protect it against the inroads of all foreign countries. Canada for the Canadians; Canada for home made goods; Canada for the bone and the sinew and the muscle of the artisans and mechanics of this country. There is nothing that can do so much for the workingmen, for the mechanics of this country, as to give them constant, steady employment, day in and day out, summer and winter, in the factories and various enterprises of industrial life in this country. That has been proved time and again. Much of the resources of Canada, much of its development and its material interests is due to that wise, statesmanlike policy which was introduced in 1878, which became the backbone of this country, and has been known ever since as the great National Policy. That was the remedy brought down to cure certain ills under which we were labouring, and we have need to return to the principles enunciated in 1878, and we cannot do it too quickly. Do not wait until our industries are closed down before you stretch out your hands to help them. Millions of capital will be wiped out before this Tariff Commission reports. Many mills which to-day are not closed are in a precarious condition. I do not wish to paint things worse than they are, but the rosy statement of the hon. gentleman this afternoon is not borne out by the facts. When the industries of this country are not receiving from the Finance Department the attention they should receive, our interests are bound to suffer. Only a few changes in the tariff have been brought down—only two or three, One I think dealt with the white lead industry, an industry new to the country, and it remains to be seen whether or not that industry will flourish. But, I submit, it will be far wiser and safer to maintain the industries already established by giving them a limited increase of tariff than by encouraging new industries. The hon. minister proposes to increase the tariff on pig lead from 5 per cent to 25 per cent and on ground lead to 35 per cent, taking no account of the mixed paint manufacturers, the main part of whose products is composed of this white lead he is dealing with. They will be heard from in this connection. He is causing a vast increase in the price of their raw material and gives them no increase on their manufactured product.

True, when we come to deal with the tariff one item falls against the other, but I contend that the tariff should be now high and now low, just according as the needs of the country require it should be applied, so as to meet the emergency of the moment and suit the times. We must have regard to our environment and our conditions, and if we do, we will give these industries I have enumerated a helping hand. If we had regard to our present condition, we would increase the protection to the cement industry and to the woollen mills, and we would give to the various other enterprises I have mentioned the increased duties called for. In this way we would retain to the workingmen of this country their daily bread; we would furnish them with the labour they so much need. While the hon. gentlemen opposite may say that this is an agriculture country and recommend all men to go on the farm, I submit, as a proposition that cannot be gainsaid, that in order to build up a great Dominion we must have a variety of industries. All men are not fitted for the farm or for trade. Some make better artisans and mechanics. And in order to have a variety of industries we must have these industries encouraged by the government, and I hold the government responsible for not having done and for not doing now what they well know should be done and done immediately. Petitions have come asking for greater protection. I have had in my desk for five months a number of letters from binder twine men requesting me to bring the question of that industry before parliament, but I was assured at different times that this government was likely to act in its behalf, and therefore did not press their demand. I say it is a little short of criminal negligence that millions of capital and thousands of hands should be turned out of employment and sent out upon the streets without their daily bread being provided because this government refuses to do what it knows to be its duty. That is a fact which the hon. gentlemen opposite cannot gainsay. They may say that binder twine should be free because the west wants it. But how much more would it cost the farmer if a cent or two were added to the cost. The average farmer would not pay more than 50 cents or $1 per year. Besides a very large part of the stock in these binder twine factories is in the hands of the farmers. I have been told by a binder twine manufacturer, who went into the matter very carefully, that at least 40,000 farmers hold stock in the binder twine factories in this country. Is there any more legitimate enterprise into which the farmers could go as a manufacturing enterprise? It is a simple thing that can be made easily and that is universally in use and is well understood. But still this government, for the sake of a few cents per head to the farmers, refuses to extend a helping hand to the

binder twine manufacturers although there are ten or twelve establishments scattered all over the Dominion. There is even one as far west as Brandon, Man. The statistics of this industry will show at once its importance. Last year the total amount sold in Canada was 10,078 tons and the amount imported 6,647 tons, or 66 per cent of the total sold. You thus have an industry almost universal in the provinces of Canada asking for help, and this government does not pay the slightest attention to it. The same may be said with regard to cement and woollens, and I am here to utter a solemn protest against the inaction of the Minister of Finance in refusing to give that helping hand to the industries of the country which he so well knows they need. Let me point to these great industries at the Soo. Though the government saw the works shut down, though they knew that seven dollars per ton was demanded on the rails, they gave a deaf ear to the representations made them. What did the province of Ontario have to do? The province spent about $2,000,000 of public money in order to save these industries at the Soo, which this Finance Minister and his associates refused to aid.

What kind of a policy is that? Over $30,000,000 of capital invested in the Soo. The government knew what was urgently necessary, what they have been time and again told was necessary. Yet they refused to act. And it was only when the man was drowned and another man put in his place that they extended this promised help of $7 per ton on steel rails. I see that the Minister of Customs (Mr. Paterson) smiles at that. But, so far as I am informed, this is what occurred. These Soo industries went to the wall; the shareholders lost almost the whole of their investment—$30,000,000 of capital wiped out. The industries were re-organized, the Ontario government doing a thing that never should have been done, something that never was done in the history of this country before, lending $2,000,000 to resuscitate these works. And the industries could have been saved and this loss of capital avoided if the government had done its duty.

And now they come down with their boasted surplus—they claim $15,000,000. But I charge against the government a loss of $30,000,000 at the Soo; I charge against them the loss of all the capital in all the industries that have gone down, that are going down and that will go down because of the refusal of this government to do its duty and give the protection that is needed. And I lay at their door the suffering of the workman, the artisan and the mechanic, who has been driven out of his home, driven away from his native town, because this government closed its ears and refused to do what it knew to be a solemn duty—to extend a helping hand, as they might have done without injury to any interest in this country. There is no other way this country can live in competition with the great manufacturing countries in the world than by an adequate tariff; and the sooner this government, and men of all classes on both sides of this House, recognize that fact the better. There is no doubt about it, this country, if it is ever going to be great, must be great industrially as well as commercially and as an agricultural community. We must have this variety of industry.

And now, having dwelt upon the industries that I promised to speak of in the first place, I do not want to disappoint the hon. member for Centre York (Mr. Campbell), and refuse to discuss some little duty on market garden stuff. I believe the hon. gentleman has a record as a protectionist on this subject. I think I have read speeches of his asking that this government give a little attention to a proposition that he knows, and I know, is a most important one for this industry. I happen to represent an agricultural as well as industrial district. It is all covered by the lovely name of Brantford; but that is apt to be misleading. Brantford covers more territory than old London, if you count the district that is attached to it for Dominion election purposes. That is one of the beauties of the redistribution of last session. And so beautiful was that redistribution that the Canadian almanac this year cannot give the population of either the riding of Brantford or the riding of North Brantford. It is impossible to give them without doing somebody wrong, and so they leave them out. But this is only by the way. In the district of Brantford I represent an agricultural community that raises a large quantity of vegetables, just as the member for Centre York does. In the district of Scotland they grow, perhaps, as large a quantity of onions as are grown in any other county in Canada. Those people are suffering from a grievance, and they know it. They know that they need a protective duty. But they cannot get it. Last year, in order to squeeze these farmers who produce these onions and compel them to take half of what their product is worth, parties brought in American onions actually to the village of Scotland, where not one was wanted, but where thousands of bags were ready to be put on the market. And from Scotland as a centre, they distributed these imported onions in order that they might break the price to the farmer. Which they did. And so they bought for 55 cents, 60 cents, 75 cents, onions worth from $1 to $1.25 per bag. That was done. And how? Because the government does not give protection to the market gardener that he is so thoroughly entitled to. And the same applies to corn and many other articles that our farmer grows. It is a mistake to say that the tariff is only for the manufacturer, the artisan and the mechanic.

It can do a vast amount of good to the farmer. And, if properly applied in such a country as this, it can help all classes, and do it with an even hand. No one will be hurt if this country adopts a uniform high tariff sufficient to make every line of industry prosperous. In this it would but be doing its first duty to the citizens over whom it presumes to rule. The very first duty of a government is to see to it that the citizen of the country is enabled to earn his living, and to earn it in the best possible way and under the most easy circumstances compatible with doing an honest day's work for an honest day's pay. This government has not done that. This government permits goods to come in from foreign countries and overflood our markets. It is true they have brought down this anti-dumping clause, a clause that has done little or no good, insomuch that producers in the old country have petitioned that it should be removed at an early date. Why, under this anti-dumping clause, the exporter must make a four-fold or five-fold declaration. It is so intricate that the declaration necessary to be made covers a paper about six inches long, even in fine type. There are five classes of declarations ; and in order that you may come within the limits of that law, it is better to make them all. The government dodge about in every possible way and avoid the main issue of affording what the mechanics, the manufacturers and the farmers of this country need—adequate protection for our various industries.

Now, Mr. Speaker, I feel that I have already spoken too long ; but I wish to say a few words on the subject of the preferential tariff. But I do not intend to tread minutely over the ground over which the Finance Minister simply jumped this afternoon. If I remember his speech of last year, he gave the British people to understand that unless in the near future they reciprocated on this preferential business, it might be necessary to rescind his preferential tariff. I do not know what his views are on that subject to-day. The hon. gentleman did not vouchsafe to us any information on the subject of the preferential tariff. But it is an important matter in the interests of this country and of the empire ; and it seems to me that our Minister of Finance, even if we have reached the dog-days and the dying hours of the session, might have found time to give a few minutes to tell us what he is about as to the preferential tariff between Great Britain and the various colonies of the empire. Sir, this is one of the great questions that we should deal with. I may be told that I am a manufacturer, and, as such, I am opposed to preferential trade, because it might hit some industry in which I am engaged. Not at all. I believe that the manufacturers of this country are prepared to stand a fair share of the brunt with the people in order to assist the mother country and the colonies to trade together, and trade more abundantly than ever before—a policy extending to all parts of the earth where the British flag floats, to receive from them the goods they are ready to part with, they to receive from us the goods we desire to sell. There is a fair and square protection proposition that might be made. The Minister of Finance has had this in tow for several years, and nothing has come of it, except a number of changes. I believe the hon. minister (Mr. Fielding) has stated that he stands for stability of tariff. I believe that he has stated that that is one of the great necessities of our industry. Still the hon. gentleman has made more radical changes in less time than any other Finance Minister in the history of the country. Some hon. gentlemen may ask : Where is the proof of this ? I will tell you in short order. In 1896 there was no preferential tariff. The Minister of Finance finally stumbled upon one, though he did not intend it. First he gave 12½ per cent on everything, thus changing the value of every article in the whole list, from the penny article to the thousand pound article—all having alike this preference of 12½ per cent.

That lasted a year, open to the world. Then he came down next year and changed the discount from 12½ per cent to 25 per cent, and at the same time plumed himself as standing for a steadfast tariff. Every merchant who has ever dealt in hardware knows the tricks of that trade. To change the discount is a game that the hardware man has always been accustomed to. Instead of changing the price of the whole line he changes the discount, but that changes the price of the whole line. So when the Finance Minister tells us that he represents a stable tariff, he is guilty of misrepresentation to that extent, because every time he changed that preferential duty he changed every article in the whole list ; from the beginning to the end of the schedules he changes every article in price. It went first from net to 12½ per cent, from 12½ per cent to 25, and from 25 it went to 33⅓, all within three years, changing the value of every article that is imported into the Dominion of Canada. Still he says he stands for a steadfast tariff. A steadfast tariff is good, but no tariff should be steadfast that is not good. Is it right to go on in evil ways because you have always been in evil ways? The sooner you change the better. In the same way, if you have a tariff that is not just to the industries of this country, that is not protecting the workingmen and the artisans, that is not retaining Canada for the Canadians, the sooner you change that tariff the better for this country, and the better in the long run will it be for the gov-

vernment who controls the destinies of the country.

I think, Mr. Speaker, that the duty of this government is clear. They should not wait another year to effect the changes that are necessary, the changes that we all know well should be given immediately. That binder twine industry should be helped immediately and forthwith; the cement industry should be helped immediately and forthwith; the woollen industry should be helped immediately and forthwith; and other industries I might mention with which the Finance Minister is familiar, should every one of them have the assistance they require right now. Do not wait until these industries have gone down, do not wait until the capital is lost, save it now. Let this government recognize its responsibility, and recognize it quickly. They have delayed from day to day to bring down the most important piece of legislation that comes before this House, and I say even now, while we are in the dog days, let them if necessary prolong the session for a day or two in order that they may save millions of capital, and that it may continue to employ in the industries of this country the bone, and sinew, and muscle of the Canadian mechanic and artisan, than whom there is no one who should demand better at the hands of this government or any other government.

Mr. H. S. CLEMENTS (West Kent). Mr. Speaker, I crave the indulgence of this House for a few moments while I consider the question of the tariff, in my view one of the most important questions that this government has to deal with. Now that the Minister of Finance has brought down his budget, I want to congratulate him upon his able address, and the skilful manner in which he has made the best of a bad job. I want also to congratulate the hon member for North Toronto (Mr. Foster) and the hon. member for Bantford (Mr. Cockshutt) for their splendid criticisms of the budget. I say that I regard the tariff as the most important question this House has to deal with, because we cannot expect to be prosperous as a Dominion unless we have a proper tariff. I want to put myself on record as opposed to the present tariff, because it is opposed to the interests of the masses of our people. The first plank in my policy is that of Canada for Canadians. I do not believe in a tariff policy which works for the interests of foreigners rather than for the interest of Canadians.

I have been all my life interested in farming operations and in the manfacture of woollens, and from that standpoint I think I have ample reason to complain of the tariff imposed against those industries. I propose to discuss the present tariff. I contend that the present tariff is opposed to the interests of the great masses of our people. The masses of our people are farmers, mechanics and labourers, and I consider that their interests are neglected by the present tariff. I am going to crave the indulgence of the House for a few moments in order to discuss some of the issues pertaining to my own district, and to the Dominion at large; I propose to compare the tariff on imports and exports, also the Canadian duty and American duty of farm stuff brought down by a return I asked for in this House which is official showing the imports of American farm stuff brought into Canada against our own Canadian farm stuff. In order to show the disadvantage that our Canadian farmers are labouring under as compared with American farmers. I shall take only a few items as samples of the whole, but those that I do give are fair samples of the whole list.

—	Canadian Tariff.	American Tariff.
Wheat	12c. per bush.	25c. per bush.
Oats	10c. "	15c. "
Barley	12c. "	30c. "
Corn		15c. "
Beans	15c. per bush.	45c. "
Peas	10c. "	40c. "
Buckwheat	10c. "	15c. "
Flour	60c. per bbl.	$1.37 per bbl.
Cornmeal	10c. " bush	29c. per bush.
Hay	$2 " ton	$4 " ton.
Apples	40c. " bbl.	75c. " bbl.
Potatoes	15c. " bush.	25c. " bush.
Binder twine		35 per cent.
Sugar	½c. per lb.	1c. per lb.
Butter	4c. "	6c. "
Eggs	3c. per doz.	5c. per doz.
Cheese	3c. " lb.	6c. " lb.
Horses ($100)	$20	$30.
Cattle ($40)	$ 8	$11.
Meats (ham & bacon)	2c. per lb	5c. per lb.
Poultry (dressed)	1c. "	5c. "
Poultry (live)	1c. "	3c. "
Tobacco	Free "	35c. "

Free American, 35 per cent.

Wool practically free upon all grades, American from 12 to 35 per cent.

Hides free, American 15 per cent.

Now, Mr. Speaker, I shall submit to you a comparison of imports and exports as between the two countries and also the goods imported on the free list.

The following tables will show the comparison for different classes of agricultural produce—for the two years 1903 and 1904:

	Imported from United States.	Exported to United States.	Balance in favour United States.
	$	$	$
Cattle horned—			
1903	37,527		
1904	36,456		
Total	73,983	13,949	60,034
Horses—			
1903	29,578		
1904	30,613		
Total	50,311	3,435	46,878
Beans, bushels—			
1903	14,338		
1904	15,390		
Total	30,228	99,308	69,180
Corn (dutiable) bushels—			
1903	813,225		
1904	1,112,420		
Total	1,925,695	7,339	1,918,356
Eggs, dozens—			
1903	534,485		
1904	936,917		
Total	1,471,402	77,160	1,394,242
Butter—	Lbs.	Lbs.	Lbs.
1903	505,113		
1904	416,601		
Total	921,714	82,162	839,552
	Tons.	Tons.	Tons.
Hay		369,581	
Apples, green—	Brls.	Brls.	Brls.
1903	28,181		
1904	21,826		
Total	50,067	20,954	29,113
Pork—	Lbs.	Lbs.	Lbs.
1903	5,412,810		
1904	5,651,487		
Total	11,064,297	210,634	10,853,633
Poultry—	$	$	$
1903	58,975		
1904	41,005		
Total	99,980	78,800	21,180
Vegetables, canned—	Lbs.	Lbs.	Lbs.
1903	3,241,589		
1904	1,907,542		
Total	5,149,131	1,579	5,147,552

Now, Mr. Speaker, I am going to ask any hon. member in this House, I care not whether he be a supporter of the government or of the opposition, if he can say that the farmers of this country are getting their rights under that tariff schedule. All I have to say is that any man who will say that is so hide-bound that he is ready to swallow his grandmother if necessary in order to save himself. I shall now give you a statement of the articles entering Canada from the United States under the free list in competition with our own Canadian farm stuff :

	Imported.	Free of Duty.
Horses—		
1903	660	
1904	551	
Total	1,211	
Cattle—		
1903	596	
1904	765	
Total	1,363	
Hides and skins (raw)—		
1903 $	2,612,333	
1904	2,714,011	
Total	5,326,344	
Wool washed only—		
1903 Lbs.	2,241,457	
1904	1,641,601	
Total	3,883,058	
Corn—		
1903 Lbs.	6,033,898	
1904	9,687,122	
Total	15,721,020	
Tobacco, raw leaf—		
1903 Lbs.	12,565,828	
1904	13,861,789	
Total	26,427,617	

Sir, I believe that we should have in this country a proper protection upon every industry. The professions are protected to a certain extent, the manufacturers are protected to a certain extent but from the comparison I have given it will be seen that the farmers, the mechanics and the labourers of this country, the people who are the largest taxpayers, who contribute the largest share to the up-keeping of this country, who earn their living by the hardest kind of toil are the classes of people who are not getting their rights under the present tariff, but are going to demand their rights in this country. I may state that I did not anticipate or seek the honour of becoming a member of this House. It has been a pleasure to me to be a member and I have no regrets at being elected, but I wish to inform you that my electors, knowing that I represent the interests of which I have spoken, tendered me the unanimous

nomination of my convention. Before accepting that nomination I distinctly told the convention that I was opposed to the tariff upon the grounds that I have stated to-night. I distinctly told them that I wanted the privilege of supporting what I considered fair and just irrespective of party politics and that convention tendered me and gave to me without a dissenting voice their nomination. I am not so hide bound in my politics that I cannot distinguish right from wrong and I would not vote for what I considered was wrong as I believed many members, from a party standpoint in this House, I would not say on one side, but on both sides, do. I believe that the old time politics of this country are going to be a thing of the past. The younger members and the younger electors in this country are going to stand aside from their old time partyism and vote for what they consider right and just; they are going to demand their rights and I believe they will get them in a very short time. I know that I have the independent Liberals of my riding as well as the independen Conservatives to thank for my election, and I propose as long as I am a member of this House to carry out those ideas and to fight for a tariff such as our Canadian farmers and mechanics and labourers should have, but which they have not at the present time.

The first question I wish to discuss in detail is the pork question. In the years 1903-4, as shown by the return for which I asked in this House, there were imported into Canada 11,064,297 pounds of pork. We exported 210,634 pounds, or a balance in favour of the American farmers of 10,853,663 pounds. As I stated, the American duty against our pork is 5 cents a pound, a practically prohibitable duty against us. Our duty against their pork is only 2 cents per pound and, any hon. member of this House who knows anything of agriculture knows American pork can be produced far cheaper than our Canadian pork. While we in Canada producers of pork can produce more than we can consume, I ask if it is fair that the American farmer should dump this vast amount of pork into our Canadian markets and usurp our own Canadian farmers' market. The result is that this American pork is dumped into Canada, and consumed and in order to find sale for our own Canadian farmers' pork, our shippers are compelled to export our pork to the European markets. Now what I claim is that we should apply the same 5 cents per pound duty to their pork that they apply to ours, and give our Canadian farmers the Canadian market to themselves. I make the statement here without fear of contradiction that during the last few years there is not a farmer in the Dominion of Canada who has not lost one dollar per hundred on every hundred weight of pork he has sold. It is high time that we gave to the Canadian farmer the pork market of Canada, and thus enable him to avoid the loss which he is at present put to through having cheap American pork dumped into this country. Every man who knows anything about agriculture knows that pork can be produced in the United States a great deal cheaper than it can be produced in Canada. If it is right that other Canadian industries should be protected why should not the Canadian pork producer be protected to the same extent, and why should not the Canadian market be secured to him instead of it being left open to the American farmer.

The question of the protection of the bean-growing industry is a very important question with us in western Ontario, because there we produce this article in large quantity. The return which I have just read does not show that we have imported a very great quantity of beans during the last few years, but nevertheless there is in the Klondike, in British Columbia and in the Northwest Territories a large demand for this vegetable. The American farmer has the control of that market at the present time, and that is a state of things which this government should no longer permit. The great bulk of the beans grown in Canada is produced in western Ontario, while the greater quantity of American beans comes from California. The United States has a duty of 45 cents a bushel against our beans entering their market while the protection to the Canadian bean-growers is only 15 cents per bushel. Why does the American government maintain this duty of 45 cents per bushel, if it is not to protect the American farmer and to shut us out of the Boston and New York markets so that the California farmer may be enabled to pay the extra freight and get his beans in ahead of ours. If it is fair that the American market should be secured to the American farmer is it not fair that the Canadian market should be secured to the Canadian farmer? The California bean-grower today can ship his beans by boat freight to British Columbia at a rate of about 6 cents per bushel, and after paying the Canadian duty of 15 cents he can place his beans in the British Columbia market at a total cost of 21 cents per bushel. On the other hand if the bean-grower of western Ontario ships his product to the British Columbia market he has to pay from 50 to 60 cents per bushel freight and if you deduct 21 cents from 60 cents it shows that the American farmer has an advantage in our market of 39 cents per bushel. I see one of our British Columbia friends smiling over there; he thinks that possibly he would have to pay a little more for his beans if he purchased them from the Canadian farmer. I grant that, but if it is fair that he should be protected upon his lead, if it is fair that we in the province of Ontario should buy millions of dollars worth of lumber, shingles and fish which we buy from British Columbia and pay them their

price for their products is it not equally fair that the British Columbians should pay the producers of Ontario a fair price for their products. I submit it is only fair-play that we should put the same duty of 45 cents a bushel against American beans as they put against ours ; indeed I would make the Canadian duty 60 cents per bushel and thus compel the British Columbia people to buy our beans.

Now, Sir, there is another important matter which I wish to bring to the attention of the House. I come from a corn-growing district and I enter my protest in this House to-night against corn being allowed to come into Canada free of duty. I say that that policy is a curse to the Canadian farmer ; I say that free corn while it possibly helps the large cattle feeder, is ruinous to the hundreds of farmers in Canada who produce corn and who should have protection. I have shown that over 15,000,000 bushels of free corn came into Canada in the last two years from the United States, and I make the statement without fear of contradiction that if 15,000,000 bushels of free corn is dumped into this country it must necessarily displace the consumption of 15,000,000 bushels of our coarser grains, such as peas, oats and barley. Our farmers are obliged to accept a ruinously low price for their corn whereas if we had protection they would get a fair and legitimate price. The American farmer has not only the privilege of sending his corn free into Canada, but he has an advantage over our Canadian farmer of at least 8 cents per bushel on freight rates, because corn can be shipped from Chicago to the vicinity of Kingston at from 4 to 4½ cents per bushel while the corn-growers of western Canada are compelled to pay from 10 to 12 cents per bushel freight to these points. That proves that the American farmer has not only the advantage of free corn, but that he has an advantage over the Canadian farmer of 8 cents per bushel in freight rates alone. If it is fair that the people of the other provinces should be protected upon their products of lumber and on their coal fields, is it not fair that we in western Ontario should be protected upon our corn fields ? I state here, knowing the truth of my statement, that in my district we cannot grow corn at the price we are compelled to sell it for at times. We were forced to sell our immense corn crop a short time ago at from 25 to 30 cents per bushel and no farmer can afford to grow corn in the province of Ontario at that price. Give us the same 15 cents per bushel duty that the Americans impose upon our corn, guarantee to our farmers that they will get from 45 to 50 cents per bushel and I state here that in the Essexes, the Middlesexes, the Lambtons, and other corn-growing districts we can produce and will produce every solitary bushel of corn that the Dominion of Canada requires. We imported 15,000,000 bushels of corn in the last two years ; guarantee to our farmers a price of 50 cents a bushel which they should have and we will grow 25,000,000 bushels if necessary. There is no farmer who is going to plant forty-five acres, sixty acres, or seventy acres of corn, as a great many farmers can do in my district, knowing that he may be compelled to sell it at from 25 cents to 30 cents per bushel. It is said by some people that we should feed the corn to the cattle. Well, while there are a number of farmers in my district who could feed from twenty-five to thirty acres of corn, there are hundreds of farmers who have good corn soil and who could grow corn to sell, but who have not the money to buy stock in order to feed it. That is one of the reasons why these corn producers there should be protected, and I trust and hope that the government will see fit to give to these farmers the privileges to which they are entitled. One other argument upon the corn question before leaving the subject. The present government expect our farmers to grow corn in competition with free corn from the United States. If they expect them to do that they should give them every advantage possible in order to enable them to grow corn more cheaply than they are now in a position to do. Nearly all of the corn machinery that has been manufactured up to a short time ago has been manufactured on the other side of the line and the government, while expecting our farmers to successfully grow corn in competion with free corn, put a duty of 35 per cent on every solitary bit of corn machinery that they bring into this country.

Now, I propose to direct the attention of hon. members of the House for a few moments to the wool question.

Mr. A. A. WRIGHT. How does it come that you get such a small price for your corn where you are living ? The hon. gentleman stated that corn was worth only 25c. cents. To-day I see this quotation from the 'Mail and Empire' from Chatham : No. 2, yellow American corn, 64 cents.

Mr. CLEMENTS. I am sure that my hon. friend (Mr. A. A. Wright), whom I greatly regard, has shown a great deal of brightness in asking me that question and I must congratulate him upon having done so. I made the statement that two years ago the farmers in my district were compelled to sell their corn at from 25 to 30 cents a bushel. I make that statement now knowing whereof I speak and if the hon. gentleman still thinks that the question is one capable of dispute I shall be very glad to show him the price that the farmers are compelled to accept at the time to which I have referred. At the present time the corn crop is almost exhausted and that may account for the advance in price. But, I was giving the figure that they were compelled to take while free corn was coming into this country and which they will be

compelled to take possibly in five or six months from now because the price of our crop is regulated by the immense crop which they may possibly have in the United States.

Now, as I stated a moment ago, I propose to direct the attention of the House to the wool question. I consider, Mr. Speaker, that this is a very serious question. This is a question which this government have neglected with the result that they are responsible for having practically wiped out of existence the wool and sheep industry which means millions of dollars to this Dominion. I am going to go fully into the wool question because I know whereof I speak upon that subject. Even the late lamented Sir John Macdonald did not grasp the wool situation as it should have been grasped. The Americans, during his term of government, imposed against our Canadian wool going into the United States a duty of 8 cents a pound. I give the late Sir John Thompson, who was Prime Minister of this country, credit for being the only man in Canada who grasped the wool situation as it should have been grasped. He said to the American government: if you do not remove that duty of 8 cents a pound that you have imposed upon our Canadian wool we will apply the same duty of 8 cents a pound to wool coming from the United States. What was the result? The result was that the United States duty was wiped out and we had between the United States and Canada for a short time free trade in wool. Wool is practically the only one of our farm products in regard to which we should have free trade between Canada and the United States.

Mr. CALDWELL. Would the hon. gentleman tell me how the small quantity of wool that we shipped to the United States could have any effect upon the American import tariff?

Mr. CLEMENTS. If the hon. gentleman will listen to my argument upon this point after I get through I shall be very glad to answer any question he may desire to ask me. We had free trade in wool between the United States and Canada for a short time. The result was that New York and Boston buyers came here and bought our wool from our farmers at first hand and our farmers were getting from 23 to 30 cents a pound for their wool. That was only a short time ago. But, when the McKinley Bill was passed it imposed practically a fifty per cent duty against all our Canadian products and why I say our government are to blame is because they had not back bone enough to stand up and say: We will apply the same duty to the products of the United States. The McKinley Bill imposed on Canadian wool duties ranging from 10 to 35 cents a pound according to the grade. Neither Canada nor the United States can export their wool because we know that England is the raw wool market of the world and the result is that we manufacture our own wool.

Mr. CALDWELL. Does the hon. gentleman mean that no Canadian wool is being exported at present to the United States?

Mr. CLEMENTS. If the hon. gentleman will come down to the front I will get his question. I cannot hear him.

Mr. CALDWELL. The hon. gentleman says that Canadian wool is not being exported to the United States now owing to the duty. There is a duty of 12 cents a pound on Canadian wool going into the United States and there is wool being exported every day or every week to the United States even with that 12 cents a pound duty.

Mr. CLEMENTS. If the hon. gentleman had listened to the return I read to this House he would have known that I gave to the House the amount of wool that was imported from the United States and the amount of wool that was exported. The hon. gentleman says that there is 12 cents a pound duty on wool. I make the statement that there is a duty of from 12 to 38 cents a pound on wool going into the United States and that there is practically no duty at all upon American wool coming into Canada.

Mr. CALDWELL. The duty is based on the grade of the wool.

Mr. CLEMENTS. I am sorry to say, while I do not want to be offensive at all, that the hon. gentleman must be very dense or he would have been able to have got at the question that I am trying to put before the House, and which I am trying to state as plainly and correctly as possible. Now, as I stated before, three-fourths of the wool they produce in the United States is termed a clothing wool that is a wool having a short fibre, while three-fourths of the wool we produce is termed a combing wool, because, this being a colder climate, we produce that grade of wool here. The American manufacturers want every solitary pound of our Canadian wool; they must have every pound they can get. Why did the United States government, knowing that the manufacturers wanted every pound of that combing wool they could get from us, impose that duty of from 12 to 35 cents per pound on our wool? Was it to help the manufacturer? No, it was to protect the farmer and I have a statement here showing that the Michigan farmer, not 45 miles away from the district in which I live, has been getting from 35 to 39 cents a pound for the very same wool that the Canadian farmer has been selling at from 12 to 15 cents a pound. Our Canadian farmer has been compelled to sell his unwashed wool in this country at 7 cents a pound and the result is that in my district where there were 100 farmers fifteen years ago who were raising all the way from

10 to 100 sheep on their farms there is not one farmer in 75 to-day producing the number of sheep that he was producing ten years ago.

Wool is a peculiar question from other products. It is one of the only things there should be free trade between the United States and Canada because neither the United States nor Canada can export wool to the old country. The United States wants all the Canadian wool that we can produce because all the wool we produce is termed the combing wool which is a long fibre which they want to work with their cotton. Three-quarters of the wool that the United States produce is termed clothing wool and is too short to be used with cotton.

When the McKinley Bill came in they placed a duty upon Canadian wools going in their to protect their farmer and not the manufacturers, according to grade from 12 cents to 30 cents per pound. There has been no duty to speak of on American short wools coming into Canada. They have been dumping their washed wools at from 12 cents to 16 cents per pound and our farmer has been compelled to sell his combing wool in competition to their short wools, or in other words our farmer has been only getting 15 cents for his combing wools and the Michigan farmer getting 35 cents for the same grade of wool. The result has been, it has wiped the sheep industry out of existence in the province of Ontario. The Ontario farmer would not raise wool at the price and the result is he has killed his sheep and sold them all. Had the same duty been applied upon the United States wools as they applied to ours, the duty would have only remained just so long as they could have scrached their pen through it. The result would have been had that been done that our Canadian farmers would be getting the same price that the Michigan farmer gets and the sheep industry which amounted to millions of dollars in the province of Ontario would have been reserved to the Canadian farmer. I make that statement, knowing it to be correct. I say that when that duty was applied by the McKinley administration, our government should have retaliated with a similar duty. Had they done so the American duty would have lasted only so long as it would have taken them to scratch a pen through it. But so long as we sit quietly by and allow these duties to be imposed against our own products, so long will our neighbours to the south make use of it. The policy of this government has wiped out the chief industry of this country, which amounted to millions of dollars and which, if it had been protected as it should have been, would be to-day an industry such as every Canadian would have a right to be proud of.

I want to submit to the House some statements regarding the manufacture of woollens in this country—another industry which has been wiped out by the policy of this givernment. The following is a statement showing the value of woollens manufactured, imported and entered for consumption in Canada, together with the duty collected thereon during each of the fiscal years from 1890 to 1904 inclusive ending June 30 :

Years.	Value	Duty.
1890..	$11,017,261	$3,157,599 54
1891..	9,962,846	2,963,356 00
1892..	10,341,309	3,095,562 34
1893..	10,946,224	3,309,389 01
1894..	9,493,629	2,876,873 17
1895..	7,952,932	2,527,564 06
1896..	8,670,691	2,759,133 78
1897..	7,125,748	2,263,882 59
1898..	7,985,847	2,438,089 72
1899..	9,803,197	2,298,579 90
1900..	9,801,565	2,745,814 50
1901..	9,944,105	2,556,335 78
1902..	10,946,856	2,814,628 02
1903..	13,561,915	3,460,300 15
1904..	15,159,383	3,953,913 32

In another sense, where it affects the labour of the country, the yardage that comes into this country, and which could be manufactured here by our own mills, to a very large extent, would equal 65 mills, each having ten sets of machinery. The labour employed would equal about fifteen hands to each set of machinery, totalling about nine or ten thousand operators in the mills. Also by the stoppage of these mills, and an undevelopment of the woollen industry, it affects the farmers in raising sheep for the production of wool, and the sheepskin pullers ; which all affects the employment of labour.

From a monetary standpoint, the government revenue last year would be nearly four millions of dollars, while in 1890, the value of woollen goods imported amounted to eleven millions of dollars, duty on which was over three millions, and the value of goods coming in under the preferential tariff was over fifteen millions, and the money collected was a little over three-quarters of a million more than it was in 1890. In the present case the duty being higher the government got nearly as much money as they did in the fiscal year of 1904. The consequence is that the government are not getting a great deal more in the way of duties, but there is nearly one-third more of goods coming in under the low rate ; which so seriously affects the mills and the woollen industry without any corresponding gain to the government.

However, Mr. Speaker, you can see by the schedule submitted that the woollen industry is contributing a large share to the expenses of the country; which is bearing on them more unequal than it does on a great many other industries which they claim are prospering under the preferential tariff.

I make the statement here, which I believe to be correct, as far as my knowledge goes, that there never were any goods made in the whole world for the price, which equalled in wearing qualities the goods manufactured by our Canadian mills from honest Canadian manufacturers. One yard of good honest Canadian woollen such as we were manufacturing previous to the enactment of the preferential tariff—which caused our mills either to close down or make a shoddy class of goods such as they did not desire to make—will wear out five yards of the shoddy imported to-day to the disadvantage of the working men and the labourers of this country, who are the class of people that have to buy cheap goods. This government should come to the relief of the woollen manufacturers. The policy they have adopted has wiped out millions of dollars of capital and driven 5,000 to 7,000 mechanics—who were good citizens, making their livelihood and spending their money here—into foreign countries where their labour is used in producing goods that come into competition with ours. I trust the government will do something to help that industry. Deputations after deputations have been waiting upon them with the view of getting some relief, but so far they have been turned down.

In my district we also grow a great amount of tobacco, and could produce millions of pounds. I was very glad to hear the hon. the Minister of Inland Revenue state that he would take into consideration the tobacco question and see if he could not afford our farmers and tobacco growers greater protection. 'I want to give this government some credit for having helped this industry to a certain extent. But it is not fair that we should import millions of pounds of tobacco grown by the United States farmer and which come into this country practically free, when we are compelled to pay an excessive duty if we want to export any over to them. We can grow both the quality and quantity we get from the United States ; and therefore instead of importing that 17,000,000 or 20,000,000 pounds from that country, we should give our farmers in Ontario a chance to grow that tobacco and sell it in our own market. There are many questions relating to agriculture which I would like to discuss. But I know that hon. members do not wish to remain in this excessive heat longer than is absolutely unavoidable, so I will confine what I have to say to one or two points.

The first matter—upon which I shall have but a word to say—is the question of our cattle. Our farmers are hampered by the freight rates on stock. They do not get the rates that are given to our neighbours to the south. Our government should lend aid towards obtaining an equal freight rate with that afforded to our neighbours, thus giving our farmers the same advantage in the market that the Americans have.

And, now, just a word on the subject of cold storage. In the last election I had to face many glowing statements of what this government have done for the farmers in the way of providing cold storage facilities. Well, I can only say that I have never seen any adequate cold storage facilities provided by this government, nor any that came near being adequate. In Kent county, in which I have the honour to represent, in which I live, has a season almost a month earlier than any other portion of the Dominion. The report of the Ontario Bureau of Industries shows that we produced more apples last year than the whole of British Columbia, more than the whole of Nova Scotia, more than the whole of New Brunswick. We not only produce apples, but we produce peaches, grapes and other perishable fruits in vast quantities. This government should do something in order to enable the farmers to market their products, which have been largely going to waste. Millions of dollars worth of fruit have been lost in Kent county because there were no adequate facilities to take it to market. Practically the whole apple crop of that county went to waste last year because of lack of cold storage. Now, if this parliament can spend money lavishly to build railways and to give them to corporations, it can well afford to provide cold storage plants in the districts in which they are most needed and to give them to the farmers of this country. From the statements I have heard, and from what I have read in 'Hansard,' I infer that the cold storage plants that we have in this country are inadequate, they are not up-to-date. I was surprised to hear the Minister of Agriculture (Mr. Fisher) advocating the old ice system of cold storage which has quite gone out of use in New York and other states where they produce large quantities of fruit. In those states they have adopted the up-to-date mechanical system. It is time that our Minister of Agriculture should wake up to the needs of the situation and adopt for this country the same system. He would then be doing something for the farmers, which they are justly entitled to and for which I think he would receive more credit than for many of the things he is doing at the present time.

Now, Mr. Speaker, in conclusion, I trust that I have not worn out the patience of the hon. members of this House. If so I make ample apology. I do trust that the government will take into its serious consideration the interests of the farmers, the labourers and the mechanics of this country. The arguments that I have tried to set forth apply to the manufacturers in this country as well as to the farmers. In-

stead of importing $145,000,000 worth of goods from the United States as last year, at the least calculation $100,000,000 of that should have been produced and manufactured in Canada, thereby giving justice to the Canadian farmer, mechanic and labourer. I make the statement that there is not a mechanic or a labourer in this country to-day who should not have twenty-five positions at his disposal where he has but the one to-day. It was only the other day that a master mechanic told me of a certain article, a part of a hub that they were imoprting from Pittsburg and selling to the Canadian producer. He said that if our government put on this line of goods a duty equal to 1 cent each, his firm would at once establish a foundry and employ from the start 50 hands in the manufacture. And he assured me that the article would not cost the producer one solitary cent more than they are paying for it as imported. But while they could buy them at about the price they are paying for them now they did not feel disposed to build their establishments in Canada. I only produce this argument, Mr. Speaker, to show that we should have thousands of these concerns in Canada, manufacturing for Canadians what the Canadian consumer requires, instead of giving to foreign mechanics and labourers the advantages that out own Canadians deserve.

Thanking you, Mr. Speaker, and hon. members for you kind consideration, I resume my seat.

Mr. W. A. GALLIHER (Kootenay). There seems to be a desire on both sides of the House not to prolong the debate on this budget. I will confine myself to a few words. I certainly would not be justified, considering the temperature of the chamber and the late period of the session, in inflicting on my suffering fellow-members on both sides of the House any considerable length of talk on this question.

I must congratulate the Minister of Finance (Mr. Fielding) on the splendid showing of the budget and on the clear and precise manner in which he has presented the same. I congratulate the hon. gentleman, and the government, and the country generally, on the prosperous condition which exists and the good financial situation of the Dominion. All this is a source of gratification to us regardless of our political leanings. In the course of the remarks of the Minister of Finance the question of American versus Canadian silver came up. In that connection, the subject of the mint occurred to my mind. I am pleased to say that we have under construction a building, which, when completed and all the paraphernalia installed, will be used for the purpose of coining our gold, silver and copper. It is needless to say that I fully appreciate the importance of this, and that I am thoroughly in accord with this policy. There is one word I would like to say with regard to the silver that is necessary to be used in Canada being coined in our Canadian mint. I think we should not only have half dollar and twenty-five cent pieces and smaller coins, but we should have the silver dollar coined in our own country, more particularly for distribution in the western part of Canada. Moreover, the coining of silver will be, as stated by the minister, a certain source of profit to the government. But apart from that altogether, the coining of silver necessary for use in Canada will consume a certain amount of the silver which is produced in Canada. I would also agree with the idea of coining gold in that mint. I think we should have our national Canadian $5 gold pieces, $10 gold pieces and $20 gold pieces. That is to my mind, if I may use the expression, the cleanest kind of money. Certainly it is money that, passing current does not get into the filthy condition of an ordinary bank note.

But I wished more particularly to draw the attention of the Minister of Finance to another subject. We have in Canada at the present time a refinery refining lead as well as gold and copper. It is situated in my own district in the town of Trail, and I believe it is the property, for the present at all events, of the Canadian Pacific Railway Company. Although it may be some time before we will begin to coin silver and gold in our mint at Ottawa, at the same time it is well to look ahead ; and I would suggest to the Minister of Finance, or whatever minister may have charge of the department dealing with this matter, that when the time comes that we are prepared to coin these metals in our mint, they should follow the system adopted by the United States, and purchase the refined gold and silver at its face value where it is refined, bearing the expense of its transportation from that point to Ottawa, if it is to be coined here. That system is followed out in the United States. You can get full face value for your gold and silver in Seattle and in Helena, wherever there are refineries. The producers of this refined gold and silver get the full face value, and the American government bears the expense of its transportation to Washington. I throw out this suggestion for the consideration of the minister, if he should think proper to purchase these metals from the refineries in Canada.

I wish also to congratulate the minister and the government on the view they have taken with regard to adjusting the inequality, in fact the anomaly, which existed with regard to the tariff on dry white lead, or what is known as corroded lead. That was apparent, and they have to my mind grasped the situation and acted upon it. I desire to thank them on behalf of the lead pro-

ducers in my district for having taken that sensible view. We have our corroding works established in Montreal, where an American firm have invested between $150,000 and $200,000, coming into Canada with their usual enterprise and spending their money in putting up works there. They are now starting the production, they are already turning out a little. The machinery is new, and as is the case with all new plants, it takes a little time before they get under full headway. But they are met with this situation the present year, that, anticipating the probable adjustment of the duty on corroded lead, the mixers and grinders of paint in Canada have pretty well stocked themselves up with corroded lead, either from the United States or from the markets of London; and had the government delayed the adjustment of this matter until the commission had sat and considered it, even had the report of the commission been favourable, by the delay we would have lost the same amount of trade next year for our corroding works in Canada that we do lose and will lose this year.

Now I believe in giving credit where credit is due. In 1903 we came from my own district in British Columbia, where practically all the lead mining of British Columbia is carried on; we came to the government and asked for assistance to our industry. It is true that the consensus of opinion at first was in favour of imposing a heavy duty on lead and lead products coming into Canada. As was stated the other night by my hon. friend from Halton (Mr. Henderson), I advocated that, and I spoke upon the subject after the delivery of the budget speech that year, and pointed out the necessity of something being done in the interest of the lead mining industry. The government at that time, in their wisdom, did not see their way clear to meet our demands in respect of duties. We then presented to them an alternative proposition, that of a bounty. I am bound to say, and I can assure this House that I am speaking as the mouthpiece of the lead producers of the district I represent, that practically all the lead producers of the district I represent are unanimous in the opinion that the aid granted to that industry by the Dominion government in the shape of a bounty, was the best possible mode of dealing with this question, not only from the standpoint of the impetus which was given to the development of their lead mines, but also from the standpoint of the actual profits to them as miners of lead. They agree that it was the best policy that could be adopted by the government, and that no duties which could have been imposed, no matter how prohibitive, would have answered the same purpose and have produced the same good results. When we came here and represented to the government what would follow if aid was granted by them to that industry, we predicted that an impetus would be given to the industry. Let us see if that prediction has been borne out. In the year ending June 30, 1903, the year in which the Bounty Act was passed, the production of lead in Canada was, I believe, about 7,000 tons; whereas, for the year ending June 30, 1905, the fiscal year just passed, the production of lead increased to 27,000 tons, notwithstanding that during the winter of 1904 and the following summer we suffered a great deal from lack of water, and had to shut down certain of our large concentrating plants, and consequently were able to show a lesser production than we otherwise would. At all events, our showing of 27,000 tons this last year is more than triple the production under the aid granted by the government than it was in 1903.

Some one may say: Is it all due to that bounty being granted? I am not going to claim that it is all due to that, but I claim that the greater part of it was due to the bounty granted by the government and that next year we anticipate the output of 27,000 tons will be increased to 40,000 tons, so I think our contention that when we came to the government with regard to the impetus that would be given to the lead mining has been well borne out. We also stated that it would result in the establishment and the enlargement of refineries right in the lead producing district which would refine every pound of lead produced in British Columbia. That also has taken place. Not only are they able to refine the lead produced in British Columbia, but they are also refining copper, gold and silver in the same works. I have further stated and one of the most important things urged was that it would result in the establishment of corroding works in Canada, so that we would take our ore containing lead right from the mines and put it through the different process of smelting, refining and finally corroding, that we would be able to treat our product entirely in Canada and supply every pound of lead to be used in this country in any shape, lead pipe, paint, sheet lead or any other form. That has been further borne out. We have, as I say, our corroding works here, due, I must say, to the enterprise of a firm of Americans from Wisconsin, and I am pleased indeed to see that the government have recognized the advisability of remedying the inconsistency in tariff which existed with regard to the duty imposed on dry white lead.

There is just one other subject of which I propose to treat, and that one is a most vexed question. For some two or three years, both in this House and out of it, I have been an advocate of duties on rough lumber. This affects us more particularly in the province of British Columbia and I may say that I have been persistent in my requests to the different ministers of the government, individually and collectively; in fact, I may have at times constituted myself more or less of a nuisance by my persistence. This is not a pre-election advo-

cacy with me; it never was. I am thoroughly convinced of the justice of the claim of the lumbermen of British Columbia. I am arguing this from strong convictions that I have on the subject myself. I told my people some years ago and I have continued to tell them that it was a position that I thought must sooner or later be dealt with by the government and the grievance remedied. The government have had delegations wait upon them in reference to this matter. Probably the largest, most representative and most influential of these delegations waited upon them during the present session of parliament. I had the pleasure of introducing the members of that delegation, along with my colleagues from British Columbia, to the Prime Minister, the Minister of Finance, the Minister of Customs, and probably one or two other ministers. I believe I am not going outside the book when I say that the ministers who listened to the full arguments of those in the delegation felt impressed with the strength of their argument and the justness of their cause; I believe they did so. Evidently, however, even if I am right in assuming that the arguments made a strong impression on the ministers of the justness of their requests and of their cause, the government have not seen fit to make that one of the items to be dealt with at the present session of parliament. The reason I presume is that this is a question that is more or less far-reaching and one which they felt they would be justified in postponing until the meeting of the tariff commission to inquire into the tariff generally and to deal with that matter as with other matters. I cannot say that I agree with the stand taken by the government with regard to that. That is not saying that the government's stand is not right, but my view of it is that it is not a case where the lumbermen of British Columbia are asking for an increase in tariff at all; it is a case where the lumbermen of British Columbia —and I may say the lumbermen from Ontario and the maritime provinces and some from the Northwest Territories who were present in the delegation and were all unanimous in their requests—it was not a case of their coming and saying: We have a certain duty upon lumber that is not sufficient and we want you to increase it. The position is this, that on rough lumber entering Canada there is no duty at all, and this is where that falls most heavily. The provision in the Tariff Act, passed, I think, in 1904 the dumping clause, applies only to dutiable goods except, I think, with one slight exception. In our market for British Columbia lumber, namely, Manitoba and the Northwest Territories, American lumber manufacturers, especially during the years of depression in building in the United States, find that they can dispose only of a portion, probably a considerable portion, of their products in the United States trade and to United States buyers. The balance of their lumber is on their hands and they wish to get rid of it. The result is that with good freight rates, in order to get rid of their stock, they put it on the market, particularly in Manitoba and in some portions of the Northwest Territories at prices below what they will sell at in their own country and below what the British Columbia lumber manufacturer can sell at; yet we cannot apply the penalty contained in this dumping clause to this case because there is no duty upon rough lumber. We find that condition facing us more particularly in years when the building trade is not over active in the country to the south of us, and it is as much to prevent this very dumping of lumber at what we call slaughter prices upon our own market as anything else that we desire a duty to be placed on rough lumber. Of course opposed to this propositions we have always found our friends from the Northwest Territoires and the province of Manitoba more particularly, and I am not attaching any blame to hon. members from that province with regard to that further than that I do not think they are taking exactly a fair view as between province and province.

Take the new province of Alberta; take that tract of country bordering British Columbia on the east; British Columbia provides for the Territory the natural market for its farm, its ranch and its dairy products, and the greater the lumbering industry of British Columbia the greater will be our purchases in the Northwest Territories. In addition a great deal of employment is given to the citizens of these Territories working in our lumber camps. Practically all the supplies used by these lumber camps: meats, eggs, butter, hay, grain, are the products of the ranches and farms of the Northwest, and all of these products are more or less reasonably protected by the tariff. We contend that as our neighbours to the east are enabled to supply our market with their protected products; they in turn should not object to a protective duty on the rough lumber of British Columbia which now comes into competition with American free lumber. It has been said, and for the sake of argument I will admit it—although the British Columbia lumber manufacturers will not agree with me—that the people of the Northwest would have to pay a little more for their lumber if a duty of $2 were imposed. But, Sir, we must all recognize that certain parts of our Dominion are so situated geographically, that they are bound to pay higher prices for articles which they themselves do not produce than do other portions of the Dominion. In British Columbia we have to pay more for the goods we consume and which are not produced within our boundaries than have the provinces to the east. That is because of the higher freight rates which we have to pay on goods sent to our distant province. Manitoba and the Northwest Territories are not lumber

producing and naturally they must expect to pay a higher price for lumber than is paid in the lumber producing provinces. That is a natural sequence of our extensive territory and our geographical position. In the same way the people of British Columbia have to pay more for the products which they get from other parts of Canada than do the people in the eastern provinces. I am satisfied that when the tariff commissioners have taken all the facts into consideration, they will say that the case of the lumber manufacturers of British Columbia is a just case and that it should be acceded to by this government and this parliament. The argument has been advanced in former sessions of this parliament, that we should not impose any duty on lumber because it is one of the requirements of the new settler whom we should induce by all means to come to our country. I am in accord with that idea, but let us consider just to what extent a new settler would be affected even if he had to pay $2 more per thousand feet for his lumber by reason of a duty. The average settler who comes in practically without means, will not within the first three years require more than 10,000 feet of lumber, and at $2 per thousand it would mean all told $20. Of course $20 is $20 to a settler, but let us be fair. Let us look at all the rest of the things which that same settler has to get when he comes in the country. He has to have clothes to wear, farming implements to till his land, household furniture for his home, and a hundred and one necessaries of life. Single out any one of these articles that is free of duty. On all of them he has to pay duty, but his lumber is free. Whatever force there might have been in that argument some years ago, let me point out that it is not applicable now, for this reason: of the 65,000,000 feet of lumber that came from the United States to Manitoba and the Territories last year, only about 5,000,000 feet went into the portions of the Territories where the new settlers are going; the balance was used in the cities and in the reasonably well-to-do farming ranching communities of southern Manitoba. As settlement goes further back less and less American lumber will each year go into these new tracts of country, and so I say that whatever there was in that argument years ago, there is very little if any force in it now.

It was charged that we were not entitled to relief because a combine existed among the lumber manufacturers of British Columbia. Well, now, it is a moot point between Manitoba, the Territories and British Columbia, as to who was responsible for that. It is a question I am not going to argue to-night, because, if any grievance did exist against the manufacturers of British Columbia of that kind, that grievance has absolutely and entirely ceased now, because there is no combine. Now, I have spoken as long as I intended to. I have merely referred to this lumber question to place myself on record in this House. I know that I have placed myself on record before the members of the government. I know it is not a new thing for them to hear what I have said, but I want my constituents, and I want the people of British Columbia generally to understand that in so far as obtaining for them what I consider to be their just and proper due, that is relief for the lumber industry, I am heart and soul with them, and I intend to continue the good work, to do as I have done in the past, to do that which one man can reasonably be expected to do in order to bring about that result, and to get for them the adjustment of the duty on rough lumber that I think they are entitled to. In that respect I may say that I have been ably aided by the members from British Columbia as a whole. Now, I will conclude my remarks, begging pardon for obtruding myself into this debate and begging pardon of myself for having put myself up against the proposition of talking on such a hot night as this, but I felt I had a duty to perform, a duty to my constituents and a duty to myself, and I hope therefore that I may be pardoned for having troubled the House with the few remarks which it has been my privilege to offer.

Mr. J. W. DANIEL (St. John city). Mr. Speaker, I do not intend at this late hour in the evening, and also at this late period in the session, and especially under these very oppressive atmospheric conditions that we are suffering from now, to inflict anything at all like a speech on the House. We have heard to-night references made to the lumber, mineral, agricultural and manufacturing industries and interests in this country. I want also to make a reference to the maritime and shipping interest. The fact that I do not intend to occupy the time of the House to any extent, I think, will be shown when I state that I merely wish to refer to a statement and to what I think is an omission of my hon. friend the Minister of Finance (Mr. Fielding). The statement to which I wish to refer was made at the last session of parliament, and the omission to which I refer was, I think, made to-day in the delivery of the budget speech. Those of us who were present at the last session of parliament will remember that somewhere in the middle of June a motion was introduced by the hon. member for Cumberland (Mr. Logan), for the cause of whose long continued absence from this House, I am sure, we are all very sorry, and who, under these circumstances, has our sincere sympathy. He made a motion to this effect:

> That in the opinion of this House the preferential tariff should only apply to importations through Canadian ports.

In speaking to this motion he referred to the very many resolutions that had been adopted in support of it by boards of trade in the maritime provinces, and also by a con-

ference of boards of trade held in Toronto. As a matter of fact, the agitation in regard to this matter has been quite widespread ever since the preferential tariff became law in 1897 or 1898. The local legislature of my own province also passed a resolution in favour of the idea which was embodied in the motion moved by my hon. friend from Cumberland last session. Since last session there was passed in the city of Halifax, Nova Scotia, on the 10th April last, the following resolution :

Whereas, a large portion of the goods imported into Canada now enter via foreign ports and are carried over foreign railway lines, therefore co-operation is asked from the Canadian Manufacturers' Association, the various boards of trade and other representative bodies in pressing upon the Dominion government the desirability of so framing the tariff that there shall be a customs preference on all goods which enter Canada direct from the country of their origin, also on all goods entered at Canadian ports when carried in British shipping.

You will notice, Mr. Speaker, that this resolution goes very much farther than the resolution which was passed by this House in June last, for it not only recognizes that the preference should only be granted in cases where Canadian ports are utilized, but also that there should be a sort of preferential treatment for all goods, not only ordinary goods coming from the United Kingdom, but all goods which are entered at Canadian ports ; and, further, the resolution introduced as an element to be considered, the flag that floats over the vessel that carries these goods. That is also, I think, a very important condition, and it was one that was brought into the discussion in this House last year. In the early part of January this year there was also the following resolution passed in the city of St. John on similar lines :

Whereas, a large proportion of the British goods imported into Canada are being received through foreign ports, very much to the detriment of Canadian commerce, and at the same time, under the present tariff arrangements, receiving the benefit of the 33⅓ preferential rebate ;

And whereas, British vessels are excluded from the carrying of freight from United States insular ports to ports in the United States.

Therefore, Resolved that this board is of opinion that all preferential rebates off customs duties which are allowed in connection with Canadian imports should only apply to goods that are imported through Canadian seaports, and in British registered vessels.

Now, Sir, I said that I wished to refer to a statement that was made by the hon. Minister of Finance in connection with a debate held last year in this House. That statement was made in reply to the argument which was presented by the hon. gentleman who introduced the resolution, and the hon. Minister of Finance said on that occasion :

I am glad my hon. friend from Cumberland has to-day brought forward this motion of which he gave notice some time ago, not that I expect that it can be adopted immediately as part of the budget of this year—but I feel that it is a subject on which discussion may do much good. . . . For my own part, I am heartily in favour of it, and if he decided to divide the House on it, I shall have pleasure in giving my vote in support of the motion. I hope that at no distant day—

I wish particularly to call the attention of the hon. Minister of Finance to this :

—we may adopt it as part of our practical legislation. So while I do not say that this motion will receive the assent of the House and take effect at once——

That was last year.

—it is a move in the right direction.

I might also remind the House that on that occasion the right hon. the Prime Minister also took part in this debate, and among other things made the following remarks :

Upon the general principle of this resolution, there cannot be any difference of opinion. Even my hon. friend from Renfrew does not dissent from the proposition involved in the motion, and the argument he adduced simply was that until we had some accommodation for shipping in our ports, we had to use Boston and other American ports. In my judgment, at all events, the way to have better facilities and accommodation in our own harbours is to cheapen, as far as possible, all our trade to those harbours.

I think, Mr. Speaker, that those remarks made both by the hon. the Finance Minister and the right hon. the leader of the government contain in a nutshell all the argument that I, at all events, have to offer the House to-night. In fact, under those circumstances, I do not consider that any argument is required from me at all, because the members of the government, who are especially responsible for the tariff conditions of this country, have already, in the citations I have made, not only expressed their entire belief in the benefits which would accrue from the adoption of this policy, but have also stated that they are in entire accord with it and hope it shall soon become a part of the legislation of this country. Surely then I need only appeal to the Finance Minister and remind him of the statements he made in this connection last year ; and if I point to the omission in his speech to-night, it is simply with the intention and expectation that he will seize the opportunity while the budget is before the House, of so altering it that this preferential tariff, at all events, will only be applied where the goods are imported through Canadian ports.

For my part, I would like to go further. I would like to see more favourable arrangements made with regard to freight which is taken into our own ports than with regard to that which is imported through foreign ports. I think it is only a matter of patriotic duty that we should not only use our own ports as frequently and as much as we can, but

that we should also educate those people shipping from the other side of the water, from whom we import our goods which carry the preferential rebate, that when they are looking out for ports to which to ship their goods, they will seek to ship them to a Canadian port.

With regard to the amount of goods which come into this country under the preferential tariff, I might say that we had from the Minister of Customs this year a statement as to their value. According to that statement, during the fiscal year 1902-3, there came direct to Canadian ports from the United Kingdom, $46,271,934 worth of goods, and for the fiscal year of 1903-4, $49,275,031 worth, showing a gratifying increase I am glad to say, and showing that the amount of these goods being imported into Canada through our own Canadian ports is increasing. From the United States ports, on the other hand, during 1902-3, we imported $12,796,772 worth of goods, and during 1903-4, $12,685,878 worth. It appears to me, therefore, that these amounts which we import through American ports are not so excessively large, and that, as far as the business is concerned, we should not be interfering very much with the present condition of things if we would apply the preferential rebate only on those goods which are imported through Canadian ports. I may say that if there was any disadvantage which importers in the province of Quebec or the province of Ontario or in the Northwest would suffer from the adoption of this policy—if they were put to any expense or indeed to any very great inconvenience by that policy, those of us who are interested more especially in Canadian ports might be a little backward in urging its adoption on the government. But so far as freight rates are concerned, what is the fact? Our importers can import their goods through Canadian ports, whether in winter or summer, at cheaper rates than they can through United States ports. As a matter of fact, the freight rates from St. John—and I presume the Halifax rates would be the same over the Intercolonial Railway or very close to them—the freight rates from St. John, Portland and Boston say to Toronto, are the same, while from New York—through which I am given to understand a good deal of our retail goods are imported—the rates are considerably higher than from any of our eastern maritime ports. I have the rates here for all the classes of goods which are imported. On class No. 1, the rates from our maritime ports are 36 cents per hundred pounds. From New York, on the same class of goods, the freight rates are 57 cents per hundred pounds. On class No. 2, the freight rates from our Canadian maritime ports are 32 cents per hundred pounds and from New York 49 cents. Class No. 3, the rates are 27 cents from Canadian maritime ports as opposed to 39 cents from New York. On class No. 4, they are 23 cents as compared with 27 cents from New York. On class No. 5, they are 18½ cents as compared with 22 cents; and on class No. 6, they are 17½ cents as compared with 19 cents. So that in every one of these classes the advantage in freight rates is with our Canadian ports. Is there any other disadvantage under which importers would labour by being compelled, if they wished to get the benefit of the preferential rebate, to use our own Canadian ports. I know of none at present. I believe that importers would be served just as thoroughly, quickly, easily and satisfactorily from our own Canadian ports as they are at present when importing through the port of New York. I am aware that business men, like others, get into a certain routine in doing their business; but if there were some inducement such as the one I suggest, and which both the Finance Minister and the First Minister spoke in favour of, then I would like to know if there can possibly be any reason whatever why such a scheme should not be adopted. With regard to the rapid supply of goods through Canadian ports as compared with, say, New York, I would like to refer to the letter which was read by the hon. member for Cumberland (Mr. Logan) when speaking on this point last year. This is a letter from the Allans, of the Allan Steamship Line of Montreal, and is to be found at page 5077 of 'Hansard' of 1904. It says in part:

> I may mention, so far as our Liverpool steamers are concerned, that we are now in a position to deliver traffic to Canadian houses as rapidly by our route as can be done by any United States port.

If that is true, I would ask hon. members, and especially the members of the government, what objections there can be for adopting the idea upon which the motion of the hon. member for Cumberland was based and which was approved by this House? What objection can there be to embodying this in the legislation of this country? I do not wish to argue the matter at length. I do not think there is really any necessity for it. Given the fact that there is as good accommodation to be obtained in our own ports as in others; given the fact that the expense not only is no greater, but actually is less for these imports in the interior of our country by using our own ports than by using others. I ask what reason can be possibly given why such a change as I now bring to the notice of the Minister of Finance should not be embodied in the law of the land? I hope that the minister will take into consideration the suggestion I make. I can imagine that in the multiplicity of the things that have been brought to his attention, he may not have happened to give this due consideration. But, taking the statement he made in this House last June,

I do not see how he can very well longer decline to embody this idea in legislation. We are now spending large sums of money subsidizing steamers to carry freight to and fro across the Atlantic. These subsidies are necessary because the business of itself is not sufficient to pay the steamers engaged in it. This proposal, if adopted, will help in this direction. It will help to make our Atlantic business more self-sustaining and will probably help us to reduce in the near future the subsidies which we now find absolutely necessary. I should be glad to hear the Finance Minister state that he will be able to re-consider this matter and will propose it as part of the law of the land that no preference shall be granted except on goods that are imported through Canadian ports.

Motion agreed to, and House went into Committee of Ways and Means.

Mr. FIELDING. I have placed on the table resolutions drawn in conformity with the announcements I made in the budget speech as to tariff changes, and I do now desire that they should be taken up. I shall be glad, as they are read to give any explanations that may be needed :

1. That it is expedient to amend the Customs Tariff, 1897, as amended by subsequent Acts, to the following effect :

Schedule 'A' is amended as follows :

Item 158. Strike out the words 'dry white and.'

That refers to the white lead and other articles of a similar character. By striking out 'dry white and' we leave other items at the present rate of duty, and we make special provision for that we strike out.

The following items to be inserted :

8. (a) Wines of all kinds, except sparkling wines, containing not more than forty per cent of spirit of the strength of proof, whether imported in wood or in bottles (six quart or twelve pint bottles to be held to contain a gallon), when the produce or manufacture of any British colony or territory in the South African Customs Union Convention, twenty-five cents per gallon.

Mr. COCKSHUTT. Is not that the same duty as now exists ?

Mr. FIELDING. No, the rate is 25 per cent on wines up to 26 per cent of spirit. This enlarges the list to 40 per cent of spirit and includes the wines that come from South Africa.

Mr. COCKSHUTT. The hon. minister is not applying this to Australia ?

Mr. FIELDING. No. Australia has no to-day preference. I stated in the budget speech that we had taken steps to intimate to the Australian government that we were desirous of making a preferential arrangement with them. If they are prepared to make such an arrangement, there is no reason why the same privilege that is here extended to South Africa should not be extended to Australia.

Mr. COCKSHUTT. Will the minister say whether this will or will not affect the Canadian product ? I am not sufficiently versed in wine as to know whether this percentage is what exists in the Canadian wines or not. We have a large industry in Brantford, manufacturing Canadian wines ; and if the duty is to be materially reduced, it may affect that industry. They control the Pelee island vineyards, where the grapes are grown that are manufactured into the wine in Brantford. This is a large industry and has been in existence for many years. I should hesitate to approve anything that would materially affect the output of wines of our own district ; for we can grow almost any quantity of grapes that may be necessary, and can supply a light wine that is most palatable, at a reasonable price. I do not know whether the proof here mentioned is the same as that of our Canadian wine.

Mr. FIELDING. I do not like to plead guilty to having knowledge of wines, any more than dose my hon. friend (Mr. Cockshutt). I think this change will not affect the Canadian wine. I have some knowledge of the Pelee island wine, and I think it will not be affected. This change will tend to bring the South African wines into competition in this country with the European product.

Mr. DANIEL. What are the South African wines—are they clarets, or are they more like ports and sherries ?

Mr. FIELDING. I am not sure that I can give my hon. friend (Mr. Daniel) the technical name. I think the South African wines would not be classed as ports, but more as clarets. They are described as light wines.

50. (a) Rolled oats, six-tenths of a cent per pound.

Mr. COCKSHUTT. What is the duty on rolled oats now ?

Mr. FIELDING. There is no special duty on rolled oats. When our tariff was prepared, this article was not known by that name or in some way it escaped notice. For want of a better classification, it has been included under oatmeal, which is taxed at 20 per cent. We desire to mention it specially and to put it at the rate here given.

Mr. BARR. That is an increase ?

Mr. FIELDING. To that extent, an increase. The argumet used is that the quantity of oats used to make a barrel of rolled oats is 12 bushels. Oats are dutiable at 10 cents per bushel. Therefore

the duty on the raw material of a barrel of rolled oats would be $1.20, whereas if it is classed as oat meal the duty on a barrel of rolled oats is much less than $1.20. The effect of this change will be to equalize the duty, so that the duty on the finished product will be about the same as the duty on the raw material.

Mr. COCKSHUTT. Does this apply to package oats? There is for instance Quaker oats manufactured by an American firm at Peterborough. These are put up in two-pound pasteboard packages. Is that only to be subject to the same duty as the coarser grades that are put up in 100-pound bags? Does it apply on package oats the same as on the bulk article?

Mr. FIELDING. There has not been any distinction between the two, and for the present we do not make any distinction. But it is a fair question whether, on a fuller revision of the tariff, there should not be a distinction made between the smaller package and the rolled oats in barrels.

Mr COCKSHUTT. I think there should be a material difference between the small package and the large package.

Item 187 is repealed and the following substituted—

187. Cement, Portland and hydraulic or water lime, in barrels or casks, the weight of the package to be included, in the weight for duty, twelve and one-half cents per one hundred pounds; in bags, twelve and one-half cents per one hundred pounds together with twenty-five per cent ad valorem on the bag.

Mr. COCKSHUTT. I wish to draw attention to a remark I made during my speech this evening with regard to the price of the package. Bags are always returnable, bags cost 10 cents from the exporter. Large amounts of American cement come into our section, and these bags when emptied are returned at the same price at which they come into the country. Now, I wish to know, if you leave this 25 per cent on the bags and if these bags are returned, is that duty refundable? If not, it will come out of the dealer who handles the cement, and will not be any help whatever in the way the minister anticipates, because the duty on that 10 cent bag will be 2½ cents. There are four bags to the barrel, that is about 350 lbs. Now four sacks are worth 10 cents each, or 40 cents, and the 25 per cent will amount to 10 cents on what is really the contents of a barrel. These bags are always returned to the factory and refilled. If these bags are not returnable they are practically a loss, because they are fit for no other purpose than for that which they were first used, no factory on this side will accept American bags. They will only take back the bags we send out.

Mr. PATERSON. Packages that come in from the United States or other foreign countries are charged duty. If they are returned and can be identified as the same sacks when they come back, they do not pay duty the second time, because when an article has once paid duty it becomes nationalized. A bag that has paid duty once is a Canadian bag. If the bag was made in Canada and went over to the United States, of course there would be no duty on it when it came back.

Mr. COCKSHUTT. No one would be able to say if this was the same bag when it came back. That would be a grievance. There are no marks on it to indicate that it is the same bag. It will be for the producer to keep track of these bags that come over to Canada and see to it that the same bags were again returned to Canada after being refilled. That is going to be a hardship on the dealer, if the proposition of the Minister of Customs is carried out. This 2½ cents per bag is going to come out of the dealer, because the bag is always returned, it has been the invariable custom of the trade to return the bags to the factory after they are emptied. There will be trouble in the administration of that phase of the tariff if it is going to be applied in that way. Certainly there will be a loss to some one if a duty is collected on a bag which is returnable.

Mr. PATERSON. I thought the hon. gentleman was saying that we give no relief to the cement industry at all. If the bags cannot be identified when they go out and come in, they will pay duty every time they come in, and I should think that would meet the hon. gentleman's wishes.

Mr. TAYLOR. My hon. friend from Brantford (Mr. Cockshutt) perhaps does not understand that this free trade government, in making this concession to the cement industry in Canada, are protecting it to the tune of 2½ cents a bag.

Mr. FIELDING. Is my hon. friend opposing that?

Mr. TAYLOR. No, I am in favour of protection. But the hon. gentleman is sailing under false colours, because he is a member of a free trade government and is throwing out this little sop to the hon. gentleman who sits behind him, the hon. member for North Grey (Mr. Telford) who is largely interested in producing cement. I want to see all the cement used in Canada made in Canada, and I would like to see the duty made 25 per cent more on that product.

Mr. PATERSON. As explained by the Minister of Finance, there is this anomaly in the tariff. Cement was not shipped in bags when the tariff was framed in 1897. It came in from England and Belgium in barrels and casks, under a duty of 12½ cents per 100 pounds, the weight of the package to be included for duty. It only comes in

from the United States in bags, therefore the English and Belgian cements is discriminated against in favour of the American article. This places them on an even footing.

Mr. COCKSHUTT. I do not think the minister fully grasped the difficulty I pointed out. The Canadian purchasing these goods in Amercan bags for instance will pay duty the first time on that bag and if the bag is returned to the States, refilled and sent back to Canada, the bag will not pay duty providing it can be identified as the bag that had already paid duty. Well, that appears to me to be a very roundabout way of doing what the hon. gentleman says he is doing; giving 10 cents a barrel. I do not oppose that, I wish it were 25 cents instead of 10. As far as that is concerned, I quite approve of any move that will give more protection to the cement manufacturers. I think they are entitled to it, the industry calls for it, and the quality of the goods and the extent of the output justify the government in going further than they are doing. I fear the working out of this particular provision will not be satisfactory and will permit men who are unscrupulous in making statements to get their duty allowed where men of more conscientious scruples who will not swear that these are the identical bags that they used before, and therefore cannot make out the declaration, will not be able to escape the duty. This I do not think is right and in all fairness and in accordance with commercial practice the equivalent should be considered all that is necessary.

Mr. PATERSON. It does not depend on the declaration alone. If the bag comes back it must bear a customs mark that can be identified by the customs officers ; in addition to that we will have the declaration of the importer. If the importer omits having his bags marked by the customs officer he will have to pay the duty again.

Mr. R. L. BORDEN. The difficulty seems to be this. The government wants to equalize the duty on cement imported in bags and on that imported in packages. If the suggestion of the member for Brantford (Mr. Cockshutt) is capable of being carried out as the Minister of Customs says it is, it seems to me the object as explained by the Minister of Finance absolutely fails. You do not equalize the duty because the bag comes back time after time and the duty is paid only once. Do I make myself clear ?

Mr. FIELDING. Yes.

Mr. R. L. BORDEN. It would work out that way if what the minister says is practicable can be carried out. You are paying the duty once, the bag is used a hundred times ; on the first occasion it pays duty and on the 99 other occasions it does not and therefore we do not equalize the conditions of the importation of cement from Britain and from the United States.

Mr. FIELDING. The Minister of Customs has spoken of the general practice with regard to packages, that is that a package once admitted on which duty is paid, if it can be identified as simply having passed the border and come back, is not liable to duty again. My impression is that in the case of the bag there will be such difficulty in identification as the member for Brantford (Mr. Cockshutt) suggests, and that practically the bag will have to pay duty each time, but the general principle as regarding packages is as stated by the Minister of Customs.

Mr. TAYLOR. It need not because the cement manufacturer in the United States will, export the goods to Canada consigned to themselves ; they will have agents who will make the entry and once they pay the duty on the bags they will collect these bags and ship them back to the United States, and when they come back to Canada the agent will make the declaration that they are the same bags as were returned before.

Mr. FIELDING. The agent has to satisfy the Customs Department.

Mr. TAYLOR. The customs cannot go back of that ; there is the declaration of the importer that these bags paid the duty once.

Mr. PATERSON. We go back of that, they have to be marked.

Mr. TAYLOR. The exporter will have the Customs mark them and they will come back, the duty 2½ cents will be paid only once, and the American cement manufacturers will take advantage of that.

Mr. PATERSON. I simply explained the general rule with reference to packages, and of course this comes under the general law. The principle on which we proceed with reference to packages is illustrated in the case of oyster kegs. A great many oysters come in in kegs and there are also brass fountains which are sent over to be filled with material and the idea is that when an article has paid duty once it becomes a Canadian article. If it was made in Canada and sent over there to be filled it would be Canadian goods returned, but if it is of foreign manufacture in the first place it must pay the duty when it comes in but then it becomes Canadian. If it goes out it is Canadian goods returned. But there must in all these cases be identification by marks made not by the man who sent the bags back but by the Customs officer.

Mr. LENNOX. If a request is made to have the bags identified, I presume the Customs officer will do so.

Mr. PATERSON. Yes.

Mr. LENNOX. Then if the exporter from the United States or the importer desires it, he could have them marked and the result would be that there would be no protection at all to the Canadian cement manufacturers because these bags could have become nationalized as the minister has said and become a recognized means of carrying goods from the United States to Canada. Once they are identified they will not have to be identified again, and if a bag makes a hundred trips we get only the one hundredth part of 2½ per cent duty on each trip.

Mr. PATERSON. Do you think they will stand 100 trips ?

Mr. LENNOX. That is probably an extreme illustration but they will stand enough to render the duty merely nominal. What is to prevent the minister, if he is sincere in his conversion to the protective doctrine, from dealing with this in a straight forward and clear way and saying that if cement is imported from the United States in bags it shall pay a certain specific duty. It seems to me that in this matter the Minister of Finance and the Minister of Customs have not been in harmony in entering upon the question and have been aiming in different ways. I do not think the Minister of Finance appreciated until the Minister of Customs explained it, that this manner of marking and identifying existed.

Mr. FIELDING. I am afraid my hon. friend will have to reconstruct the cement manufacturers because they have represented that the absence of duty on the bag is a serious disadvantage to them and we have removed it at their own suggestion. I have no doubt they would be much pleased to have a certain amount of duty. I do not know what my hon. friend would regard as a fair duty. If he makes an examination he will find that the duty on cement to-day is a pretty stiff one.

Mr. TAYLOR. Will the minister say that when he explained this matter to the cement manufacturers they were satisfied ? Did he explain that the bags only paid duty once and that if they made a hundred trips there would only be one duty paid ?

Mr. FIELDING. I did not explain anything to the cement manufacturers : I did not suppose I could teach them their own business, and as they are a particularly intelligent class of people, judging by the deputation which favoured me with a call, I imagined they knew the general law respecting packages.

Mr. LENNOX. It is quite evident something will have to be reconstructed. The Minister of Finance said he expected the duty would be paid on every occasion the bag was entered, and there is no reason to believe that the cement manufacturers understood otherwise. I agree with the Minister of Finance that cement manufacturers understand their own business but the Minister of Finance did not understand himself that this rule would be invoked by the Minister of Customs. The only way to afford any reasonable protection is to charge the duty on the bag every time. The Minister of Finance wanted to know if I would reconstruct something. Well, we have reconstructed the whole cabinet on the principle of protection ; they are not all we desire yet but we hope to reconstruct them on this question so that we may have protection in fact as well as in name.

Mr. TELFORD. I understand that the cement manufacturers are satisfied with this provision, and I do not believe that there is a bag that comes back from the United States more than three times at the very outside.

Mr. COCKSHUTT. I am afraid the hon. gentleman (Mr. Telford) is more cemented to his party than he is to his business. As a practical man he must know that a bag will stand more than three trips.

Mr. TELFORD. I said the bags would not come back from the United States more than three times, and I do not believe that even when they are sent to Canadian points they come back to our factory more than five or six times.

Mr. COCKSHUTT. I have handled cement but I have also capital invested in the industry and I know it needs protection. Whether this tariff change gives it protection or not, it is going to place the matter in very great uncertainty and cause a great deal of inconvenience. The goverment ought to now declare whether they will charge 2½ cents on each bag as it comes in and every time it comes in, or whether that charge is only going to be during the life of the sack. Some sacks will last 100 trips, others may not last five trips and some will be damaged the first trip. I understand the Minister of Customs to say that he proposes to have a custom mark on every bag for identification. An ordinary car will contain 100 barrels which represents 400 bags, and there were imported into Canada last year 780,000 barrels which in round numbers would be 3,120,000 sacks.

Mr. FIELDING. Was it all imported in sacks ?

Mr. COCKSHUTT. I do not think that any English, German or Belgian cement comes to Ontario, and the American cement is almost entirely imported in sacks. According to the Minister of Customs you would have 3,120,000 sacks to be marked and that will need a great deal bigger staff than you have now. The Minister of Customs cannot be serious when he says that each one of these 10 cent sacks is going to have an identification mark put on it. A man cannot go through a car and mark the

sacks on account of the way in which they are piled up, and how and where is the marking going to be done? It is an impossibility. The cement is usually billed by the firm that sells it; it is marked at the laid down price on the track at the place where it is sold; it is quoted so by the cement manufacturer; he is the man that pays the duty, he is the man who will gather the bags and he is the man who becomes responsible and not the Canadian importer who receives it from him. The manufacturer will simply have an agent who will be ready to take this particular oath in order to pass these sacks and the man with conscientious scruples who desires to do the right thing will not be able to take that oath, and thus you will not have uniformity in the prices. It is for the government to say here and now whether or not they intend to levy the duty of 10 cents a barrel on cement. I hope they will do so, and I trust that they will charge the 2½ cents on each bag every time it comes in. If that is done the manufacturer, the importer and the exporter will understand it and no complications will arise.

Mr. PATERSON. The hon. gentleman (M. Cockshutt) is making a strong plea for the American manufacturers.

Mr. COCKSHUTT. I ask for a duty of 10 cents per barrel on cement.

Mr. MILLER. I met Mr. Daniel Knechtel, president and manager of the Hanover Cement Company, who was very desirous of having a larger duty on cement. I knew that one of the requests of the cement manufacturers was that there should be a duty on the sacks, and I had been informed that the sack would only pay duty on entering the first time. I asked Mr. Knechtel whether that being the case such a duty would be of any particular advantage or of sufficient advantage to be worth while. I have no doubt that if Mr. Knechtel were here he would ask for a much larger increase of protection than this will give, but he said in reply to my question that such an added protection as is being given now would be a very great advantage. He said that a large number of the sacks would not be returned, and that often times a contract was awarded to an American rather than to Canadian manufacturer on account of a difference of possibly a fraction of a cent upon the barrel. In this instance the manufacturer would no doubt like to have a much larger increase of protection, but he looks upon this as being an increase that is certainly worth while.

Mr. CRAWFORD. In my opinion the cement manufacturers of Canada do not need this protection at all. We have every facility in this country for manufacturing cement and it is an outrage and an imposition on the people of this country to impose any such tax upon them. I have been informed that the cement manufactures to-day are charging double the cost of manufacturing this article. I have got that from a direct source and I think it is practically a straight steal from the people of this country to impose any extra tariff on cement at the present time. The cement manufacturers of this country have every facility at hand and they ought to be able to produce and sell their cement as cheaply as in any other country. Why should we consumers of this particular material be imposed upon in this way? I do not think it is fair, looking at it from the consumers standpoint, particularly when the manufacturers are taking advantage of their position as I am informed they are doing. I was told by a cement manufacturer not long ago that they expected to make 50 per cent on the capital invested.

Mr. CLARE. He was trying to sell stock to you.

Mr. BARR. I would like to ask the hon. gentleman (Mr. Crawford) if there is a cement factory from one end of this Dominion to the other that is paying a dividend to-day? It is within my own knowledge that such is not the case; and if it is not the case, it seems to me to be a proper thing that there should be some protection afforded to this industry. We know that the Americans dump their surplus cement just as they do their surplus of other commodities to the disadvantage of the Canadians, and if this is continued the probability is that many of our cement works will be closed up, the result of which would be that the consumers would be obliged to pay higher prices. I do think, therefore, under these circumstances, that the existing conditions are most unfair. They will now endeavour to get back their bags, if they will stand the wear and tear of a number of trips to the Canadian side. I venture to say there is no reason why they could not produce bags that would probably stand 100 trips; and, therefore, whilst we have, in name, protection from the United States, it is no more than in name, and the result is that it will take an extra staff sufficient to eat up all the profits we get as far as that is concerned.

Mr. MILLER. I think my hon. friend from Portage la Prairie (Mr. Crawford) has been misinformed as to the facts. I do not think that there is a single cement factory in Canada which pays dividends of 50 per cent, or even of 10 per cent. I do not know of any that are really making any profit at all. What is the reason of that? We can and we do make as good cement in Canada as can be made in any other part of the world, and in some respects we have as good facilities. We have the raw material, the marl and the clay, of just as good quality and just as easily obtainable as they have in the United States; but in the United States, where they manufacture cement most largely, and particularly in the state

of Pennsylvania, they have the rock out of which the cement is made, and the clay, and they have the additional advantage which is a very great advantage, of having the coal, which is a very large part of the cost of manufacturing the cement, at the door. So that they have the rock, the clay and the coal together. Our manufacturers have to import their coal, and the freight they have to pay is what adds very largely to the cost of production. It makes it utterly impossible for the Canadian manufacturer to manufacture as cheaply as does the American manufacturer. If the cement industry is to thrive in Canada, it must be protected to some extent. Of course, there is this to be said on the other side, that where the natural disadvantages are so great, it is a debatable question, I should think, as to how far the government ought to go in overcoming the natural disadvantages that exist.

Mr. CRAWFORD. Surely the cost of freighting coal will not be very much more than the freighting of the cement. It only costs 50 or 60 cents a barrel to manufacture, and they charge from $1.30 to $1.50 a barrel.

Mr. MILLER. I think that the hon. gentleman must have received his information from some of the prospectuses issued by the promoters of new companies, and if he will purchase stock in any of these companies, he will find that it is not such a paying business as he supposes.

Mr. CRAWFORD. These companies are capitalized at about three times the amount of money invested, and they are endeavouring to make a profit on that capital.

Mr. TELFORD. I know from personal investigation made last year out of ten or twelve mills in operation in Canada, not more than three companies paid any dividend. This year I believe a number will pay dividends, because we are able to sell cement for $1.50 a barrel at present, whereas last year we were selling it at from $1 to $1.20 a barrel, and many of us could not manufacture it at that figure. I made inquiries of a number of cement manufacturers in our own town, which is the centre of the cement business, and I ascertained that most of them were paying $1.25 and upwards a barrel as the cost of production. This year, however, a number of our manufacturers are able to manufacture for about $1 a barrel, and I understand that the cement company at Hull will be able to manufacture for less than that. Up to the present time I think we have had on it little enough protection, but I think the protection which the government is giving us on the bags will be quite sufficient to enable us to make reasonable profits. In so far as I am concerned, I do not want to see any additional duty imposed, because I believe if more were imposed the resultant increase in profits would induce a number of people to invest more money in new cement manufactories, as we have abundance of the raw materials out of which cement is made all over the province of Ontario. The reason we were in such straitened circumstances last year was simply because a very large number of people had been induced to put their money into cement. We were manufacturing more than the country could consume, and the consequence was stagnation. We could not dispose of our product, and we had to take less for it than it cost us to manufacture. The result of this was that a great number of us went behind. This year we are selling at $1.50 a barrel, and we expect to be able to pay a dividend. Many of the companies engaged in the manufacture of cement are over-capitalized. There has been a great deal of water put into the stock of some companies, and they expect to get dividends upon it, these expectations will not be realized, but those companies which are established on a cash basis will be able to pay reasonable dividends, except those that ran behind in previous years, and which have to make good their losses during the present year.

Mr. CLARE. The hon. Minister of Finance made a statement that the duty would have to be paid on all importations, no matter whether they came from the other side or not. If that is the intention of the hon. Minister of Finance, why not carry it out? If the statement of the hon. Minister of Customs is correct, then the intention of the Minister of Finance is not being carried out. A clause should be added to this providing that the duty shall be collected on every importation.

Mr. FIELDING. As far as the duty on the bag is concerned, we have done precisely what the cement manufacturers asked. Of course, they will be glad to have us do something more, but on that branch of the question we have done exactly what they want. They are aware of the law as to packages. How many bags will be returned is a question that is open to a difference of opinion. I have been informed that some bags are made of paper, and probably these will not be returned at all.

Mr. COCKSHUTT. They will pay no duty on these?

Mr. FIELDING. It is a question of value. There will be 25 per cent on the value, whatever it may be. How far this will be an advantage to the cement manufacturers may be a question to determine; but, at all events, on that point we have done exactly as they wished. We do not propose to change the law in respect to packages. The law applies to all packages, and the cement manufacturers are aware of it. I am told that many bags are made so that they can be returned. It may be that many bags are made of such material that they will not bear the strain of going back-

wards and forwards. However, the intention of the Minister of Finance is to be found in this resolution.

Mr. LAKE. I understand that the intention of the Minister of Finance is to put the British exporter on an equality with the American exporter. I would suggest that an easier way of doing that would be to take the duty off the packages altogether, and then increase the duty. Personally, I am opposed to any increase in the duty, but I think that the suggestion I have made is a good one—that if there is any question about the bags, take the duty off the packages altogether.

Mr. FIELDING. If we take the duty off the packages altogether, how many hon. members around him will approve of it ?

Mr. CLARE. Not many.

Mr. FIELDING. He says he does not want the duty increased, so my hon. friend is not prepared to give us any advice we could accept.

Mr. COCKSHUTT. It is to be regretted that any objection should be made by the hon. member for Portage la Prairie (Mr. Crawford). I think his objection has to do with the cost of cement, and what he says should not be allowed to go uncontradicted. I have some capital invested in cement, and I know how long it has been invested, and my investment has not yet returned me a cent. There is also a company which my hon. friend from Owen Sound (Mr. Telford) knows about, because it is located there, in which upwards of $60,000 of stock was subscribed from Brantford, and for which those who invested their money have never got any return. There is also a cement industry in the constituency of the hon. Minister of Customs (Mr. Paterson), and I hope he will see that it gets a protection of 10 cents a barrel. That is a protection which the cement industry badly needs. The hon. member for Portage (Mr. Crawford) says that cement can be produced for 60 cents a barrel. I would like him to tell us where he gets that information. No doubt he got it out of some prospectus of a company that was trying to sell stock. Cement has been sold by some factories at $1.75 per barrel, and still they have not as yet paid any dividend. It would be but a small measure of justice to grant cement manufacturers a further protection of 10 cents per barrel. My hon. friend the Minister of Customs (Mr. Paterson) says that they can ship cement in paper bags. Is the Minister going to brand these bags or not? Many of them would not hold out during one shipment, and if a man should order one carload in paper bags he will be very careful not to order another. The bags will burst and there will be more waste than will pay for the cotton sacks. Cement is not likely to be shipped at any cheaper rate in bags a long distance, and many of the bags will be sure to burst. There ought to be a fair understanding whether or not this 10 cents is to be levied on the imported article. I contend that it should be levied. The price of cement has been cut in two in the four years since Canadians have begun to manufacture it. It used to retail at from $3 to $3.50 per barrel, but now you can buy it at from $1.75 to $2 per barrel. Surely Canadian enterprise has done much for those who use cement. It has certainly given a better quality than we ever had before because the tensile strength of Canadian cement is higher than that of the cement in any other country. We have put into the business plenty of plant and capital and have all the requisites for producing this article at a very moderate price, still last year there were imported 780,000 barrels or 7,800 cars of cement, and that in spite of the fact that we have enough factories—many of which are not running—to produce more cement than the whole country can use. This item is the best in the hon. gentleman's tariff changes, and I hope no effort will be made to have it struck out.

Mr. ZIMMERMAN. There ought to be a limit somewhere as to the duty on cement. While strongly in favour of a duty on that article, I am only sorry that we cannot manufacture it as cheaply as it is manufactured on the other side of the line. Cement is billed at Hamilton at $1.55 per barrel, the duty is 43 cents and the freight 27 cents, leaving the net price to the American 85 cents. Surely our manufacturers ought to be satisfied with such a high duty and ought to be able to meet the competition from the other side. I do not think it is fair that the government should go any further than they have done in this matter. I must say that I know of other industries which need protection very much more than the cement industry.

Some hon. MEMBERS. Hear, hear.

Mr. CRAWFORD. I merely wish to say that the authority I had for making the statement I did is undoubted.

Schedule B is amended by repealing item 455 and substituting the following:

455. Settlers' effects, viz.: wearing apparel, books, usual and reasonable household furniture and other household effects ; instruments and tools of trade, occupation or employment, guns, musical instruments, domestic sewing machines, typewriters, bicycles, carts, wagons and other highway vehicles, agricultural implements and live stock for the farm, not to include live stock or articles for sale, or for use as a contractor's outfit, nor vehicles nor implements moved by mechanical power, nor machinery for use in any manufacturing establishment ; all the foregoing if actually owned abroad by the settler for at least six months before his removal to Canada and subject to regulations by the Minister of Customs : provided that any dutiable articles entered as settlers' effects may not be so entered unless brought by the settler on his first arrival, and

shall not be sold or otherwise disposed of without payment of duty until after twelve months' actual use in Canada.

2. The exemption from duty of machinery and structural iron and steel for the construction and equipment of factories for the manufacture of sugar from beet root, authorized by section 11 of chapter 11 of the Acts of 1904, is extended from April 1st, 1905, to June 30th, 1906.

3. The exemption from duty of machinery and appliances of a kind not made in Canada for use exclusively in alluvial gold mining, authorized by section 12 of the said chapter, is extended from July 1st, 1905, to June 30th, 1906.

4. Section 18 of the said chapter is amended by inserting after the word 'production' in the fourth line the words 'or from any British country.'

Mr. R. L. BORDEN. Why is this change made?

Mr. FIELDING. This is the item about molasses. If molasses be shipped to Newfoundland and then sent to Canada, that would be deemed a direct shipment, and that is why we added the words 'or from any British country.'

Mr. DANIEL. I would like to ask the hon. the Finance Minister if he has forgotten all about the matter I have brought up?

Mr. FIELDING. The subject is a very interesting one, and one which, speaking generally, enlists my warm sympathy; but after the discussion last year, I heard other views advanced, which at all events showed there was another side to the question, and it is quite possible that in doing what we desire to do for the benefit of our maritime ports, we might raise other difficulties. We are reserving final judgment. If my hon. friend had the matter before him and had his attention directed to some of these difficulties, he would see that his proposition is open to some debate. I do not give the matter up. All I say is that there were some reasonable objections which suggested that the matter should be further considered.

Resolutions reported, and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 190) to amend the Customs Act of 1897.

Motion agreed to, and Bill read the first time.

ADJOURNMENT — MILITIA MEDICAL OFFICERS OF DISTRICTS.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. I would like to ask the government to bring down, perhaps on Monday, any correspondence and other documents in connection with the allowances made, I think under statute, to the principal medical officers of districts. Some question has arisen as to whether or not those officers who are members of this House are disqualified in any way through receiving the allowance or acting as principal medical officers. It is well the matter should receive some attention in the House.

If there is any correspondence with respect to the awarding of the King's medal for eighteen months' service in South Africa, I would like to have it brought down. Some question has arisen between the Department of Militia and the War Office as to whether or not this means eighteen months' service in South Africa or whether it means eighteen months' service including time going to South Africa.

May I also ask what business the government intend to take up to-morrow?

Mr. FIELDING. I will call the attention of the Minister of Militia to the correspondence which the hon. gentleman (Mr. R. L. Borden) desires.

We propose to-morrow to take up a num- of the Minister of Militia to the correspondence which the hon. gentleman (Mr. R. L. Borden) desires.

Motion agreed to, and House adjourned at 12.10 a.m. Friday.

HOUSE OF COMMONS.

FRIDAY, July 7, 1905.

The SPEAKER took the Chair at Three o'clock.

EMBARGO ON CANADIAN CATTLE IN GREAT BRITAIN.

Mr. P. H. McKENZIE (South Bruce) moved:

That the sixth report of the Select Standing Committee on Agriculture and Colonization be concurred in.

He said: I may explain to the House that this report refers to a question which is not new in this House, but has been dealt with by the House and by the present government in days gone by. I refer to the embargo on Canadian cattle entering the ports of Great Britain. This subject was fully discussed in the Committee on Agriculture and Colonization, and a sub-committee was appointed to draw up a resolution bearing on the subject. That resolution was presented to this House a few days ago. In the discussion of this subject in the committee a few days ago it was made evident that the members of that committee considered this a most important question, and that they were very anxious for the expression of the opinion of this House on the subject at this particular time.

For the benefit of those who, perhaps, have not given much attention to this subject, I may briefly review the situation. The

embargo referred to was a regulation passed by the British government, first in 1892 by Order in Council, on the occasion of an outbreak of contagious pleuro-pneumonia in the United States. The British government were afraid that, because of the trade in cattle between the United States and Canada, this disease might be communicated through our cattle to their own herds. Later on, the British government seemed to think that they had found reason for making the embargo more stringent and for referring directly to Canada ; and in 1896 the Order in Council was superseded by legislation providing that our Canadian cattle should be slaughtered within ten days from the date of their landing in British ports, and restricted the number of ports to which our cattle could be sent to seven for the whole Kingdom. From that time to this we have contended that this restriction upon the trade of our cattle was very unjust to Canada. The British experts found among our cattle landed in Great Britain three cases of what they held to be contagious pleuro-pneumonia. In that finding our own experts never concurred. Our expert contended that the cases found were not contagious pleuro-pneumonia, but an inflamation of the lungs arising from other causes. And, as a proof that our experts were correct in their conclusion, we have the fact from that day to this, although hundreds of thousands of head of cattle have been sent to the British markets and slaughtered there within ten days of landing, not one single case of contagious pleuro-pneumonia has been found in all these years and among all this large number of cattle. It would be hard to suggest evidence that would prove more conclusively the contention of the Canadian experts that no such thing as contagious pleuro-pneumonia exists among Canadian cattle.

Now, we object to this restriction on the ground that it proclaims to the world, in effect, that Canadian cattle are not sound, that they are liable to disease, so much so that they cannot be admitted into the ports of Great Britain on a par with the cattle of that country. For this reason, we claim that this embargo should be raised. If a rigid inspection is necessary, we do not object to that inspection being maintained. We have at present a rigid inspection constantly going on of our cattle entering these ports ; and we have no objection to this being continued, and to every precaution being taken by the British authorities to preserve their herds. We know from the history of the cattle trade in Great Britain and other countries that it is a very risky thing to trifle with diseases among cattle. There have been diseases among cattle and sheep of a very infectious nature and hard to stamp out, so that they have cost Great Britain millions before they were subdued. We, therefore, sympathize with the British government in their efforts to keep out disease. But, we say, let the rigid examination continue ; we are quite willing that our herds should be subject to that examination ; and, if they are found diseased, we are quite willing to submit to the exclusion. But, believing that we have in Canada a healthful climate and herds free from contagious diseases, we ask the authorities of Great Britain to remove this embargo at once, and thereby publicly declare to the world that Canadian cattle are free from contagious disease.

Again we ask for the removal of this embargo on the ground that affects ourselves. We find that when cattle cross the Atlantic it frequently occurs that they meet stormy weather, and so the animals arrive in a more or less bruised and damaged condition; and, as they must be slaughtered within such a short time the meat is often put on the market in a very improper and inferior condition. This is damaging to the reputation of our beef in the British market. Likewise, we contend that if the time were extended—or was made unlimited—during which our cattle could remain alive in the country, bruised animals would have an opportunity to recover from the effects of the voyage, and the meat could be placed on the market in proper condition, thus keeping up the good name of our meat.

Again we claim, that in the interest of our cattle raisers and in the interest of the feeders of Great Britain, the embargo should be removed. Occasions arise among the cattle raisers in this country when it becomes necessary for them to send cattle out of the country that are not in exactly a finished condition ; in fact a certain percentage of our cattle are always going out of the country in that condition. We must remember that these cattle have to be slaughtered within ten days after landing, and being in a half-fed condition, this meat which is sold of course as a Canadian product, tends to depreciate the good name of our beef in the British market. Now I am not an advocate of Canadians exporting unfinished cattle, but I will repeat what I have already said, that occasions will arise when such cattle are exported, there will always be a percentage of cattle going forward in that condition, it sometimes becomes necessary for farmers to send out some of their cattle in an unfinished condition; and we contend that on occasions of that kind the Canadian farmer should have the opportunity and the privilege of exporting those cattle in that condition ; and we know that on the other side of the Atlantic there are many feeders who are glad to get them. I may say in this connection that in speaking with our esteemed Governor General recently on this matter, who is himself a considerable feeder of cattle, he informed me that in all his experience in feeding cattle he had never had better

cattle for that purpose than Canadian steers, and personally he would strongly approve of the embargo being removed.

Now I would say this also, that it would be greatly to the interest of the British people, and they are beginning to look at it in that light, to remove this embargo in order that they may get cheaper meat. We believe that this embargo tends to increase the price of meat to the British consumer, and I am glad to see that some of the people, at least, of the old country, are beginning to look at it in this light. I have here a cutting from a paper which says :

The Co-operative Union Congress of Paisley has protested against the embargo on Canadian cattle. Co-operative enterprises are virtually impossible under protection, and the Congress recognizes in the cattle embargo a protection measure.

It goes on to say that in the interest of the consumers this embargo should be removed that they might get cheaper meat. I have another extract from a Glasgow journal :

Leading Glasgow members of the cattle trade condemn the restrictions on the import of Canadian cattle as unjustifiable. An ex-chairman of the Glasgow Fleshers' Society says : 'What Glasgow butchers and Scottish farmers desire is that fat Canadian bullocks be allowed to enter our ports and be sent to rest on our pastures preparatory to being sent to market, and that lean animals be sold to farmers for storing purposes. There is no better class of cattle to be found than Canadian cattle after being rested on this side.

Now there is testimony from those who know as to the quality of our Canadian cattle for feeding purposes, and it is also testimony from those who are consumers of meat that they consider that the removal of the embargo would be in their own interest. Now I would just say, without expressing my own opinion with regard to conditions that now exist in the old country, that I consider it is rather unfair to Canada that Great Britain should retain this embargo against us. I am not going to complain on behalf of the Canadian farmer of the preference that has been given by our government to the manufacturers of Great Britain ; but I do claim that if there is any consideration at all to be given to any colony of the empire it certainly should be given to Canada. We see that our cattle and the cattle of the United States enter the ports of Great Britain on exactly the same terms, we have no advantage over the herds of the United States in this matter, their cattle as well as ours are placed under the same restrictions. Now I want to say to the people of Great Britain that I, as a Canadian British subject, think that this is unfair to us in Canada. They should consider our demand, a demand that we have been persistently making for many years. Our present Minister of Agriculture has done all in his power to remove this embargo, and is still anxious to do what he can in that direction, and I am sorry to say that hitherto he has met with little success. However, judging from information that I obtain from the other side, I think that times are now more encouraging, and that is the reason why I brought this matter up in the Committee on Agriculture and Colonization. I think there is nothing to be gained by letting this matter drop, or by allowing the British people to forget that we consider they are doing an injustice to us; let us keep them in mind of it, and urge them to remove this embargo in our interest as well as in their own. There are one or two other articles here that I would like to read to the House to show the condition of public opinion on the other side of the Atlantic with regard to this question, and these articles are of a nature to encourage this parliament and government to continue their efforts for the removal of this embargo. I think the time is opportune, I think a change is coming over public opinion on the other side, and that there is a disposition on the part of some of their leading men to favour our contention and to consider this claim on the part of their premier colony. I find this in a Liverpool journal of a recent date :

The deputation which waited upon the president of the Board of Agriculture the other day to urge upon him the relaxation of the present rules so far as they related to Canadian store cattle, submitted an unanswerable case as regards the question of the healthiness of the beasts for which an exemption is claimed. The Canadian government and people have spent, and are spending, an enormous amount of money yearly in measures for the prevention of disease, and as a result of this attention the cattle of the Dominion are to-day amongst the finest and the soundest in the whole world.

A little further down I read :

All these considerations count for nothing, however, with a department which has convinced itself that as there must always exist a certain amount of what Mr. Fellows called——

There is something here that I will not read, I will pass over that, because it deals with politics in the old country, and I do not want to enter into that. I will read a little further down.

We were pleased to note that at the deputation to the Board of Agriculture Professor Boyce, of the Liverpool University, speaking from the point of view of veterinary medicine, gave it as his opinion that the restrictions might safely be removed if the government were to arrange for a system of inspection of animals at the port of arrival. Manifestly this is the proper and the straightforward thing to do, and even if the expense of carrying out such a policy were thrown on the importers it is scarcely likely that much objection would be raised. Certainly an absolute embargo for ever cannot be defended on any ground of reason or fairness.

That is the point I wished to bring particularly to the attention of the House.

namely, that it is now being conceded on the other side by influential journals such as this that there is no defence for the present embargo on any ground whatever, either in their own interest or in ours. Now I have this to say to members of parliament, to those who are farmers and those who are not, that I hope they will assist us in unanimously supporting this resolution. We expect some good will come from it. We know perfectly well that in this great country of ours the cattle industry is going to be one of our most important interests. There is no industry in the country to-day equal to it for the preservation of the fertility of our land in the older parts of the country, than the raising of cattle, either beef cattle or dairy cattle, especially beef cattle. This being the case, and looking to the future welfare of our farmers in the older parts of the Dominion, and even in the newer and rougher parts of northern Ontario and Quebec, I claim we are going to benefit our country very largely by pressing for the removal of this embargo. I think the time may soon come when it will be removed. However, I for one, as long as I remain a member of this parliament, will not be discouraged if we do not get it immediately, but I will continue to press our claims on the home government for the removal of this very unjust and unfair embargo.

Mr. R. BICKERDIKE (Montreal, St. Lawrence). Mr. Speaker, on many occasions I have been asked by the cattlemen of Canada to introduce a similar resolution to that brought down from the Committee on Agriculture, but I have felt that it was rather a dangerous question to take up, because, if it were taken up, it would have to be dealt with on its merits, and if dealt with on its merits, I believed, that something might have to be said that would be unfavourable to gentlemen occupying high positions in the British government. It is a well-known fact that there is no disease in the cattle of this country, that there never was and that under the present arrangements, if continued, there never will be. The British Board of Agriculture, in 1892, simply goldbricked this country. They were playing a game with Canadian interests and they were using loaded dice in that game.

Mr. FOSTER. That is a pretty strong statement.

Mr. BICKERDIKE. Yes, and I will prove it to the satisfaction of the hon. member for North Toronto.

Mr. FOSTER. Loaded dice!

Mr. BICKERDIKE. I say that the Canadian farmer, rancher and cattle exporter and the importer on the other side simply desire the liberty to dispose of their cattle as they think best. We have no cattle disease and we want the restrictions imposed upon that ground removed, or failing their removal, a frank acknowledgment on the part of the British government that the restrictions are solely and entirely for the purpose of protecting the home live cattle market, protecting the farmers of Great Britain, not against disease but against competition from this country. The British Board of Agriculture insist that it is the disease. I have no objection to them using that term, but I do demand that they will give the disease its proper name and call it protection and not pleuro-pneumonia.

Mr. TAYLOR. The Liberals of Great Britain are sailing under false colours there as they are here.

Mr. BICKERDIKE. Under the existing law Canadian cattle are only allowed to land at one port in Scotland, Glasgow, and I think three in England. At these ports, within ten days of arrival, the cattle have to be slaughtered. As a result of these conditions the buyers are confined to a few butchers in the vicinity of the ports. I am giving a few of these facts at the beginning so that the House will be in possession of them. Prior to 1892 Canadian cattle were allowed to go into the interior. In 1892 one of the veterinary inspectors of the British Board of Agriculture claimed to have discovered pleuro-pneumonia in one of the animals that had been shipped to Glasgow. It is a strange thing that the disease should have been detected in one animal only which we disputed and where our veterinaries disputed. Out of the million and a half cattle that had been slaughtered in England and Scotland only one animal was even suspected to have this disease. I claim that the British Board of Agriculture have treated us very unfairly.

Mr. HENDERSON. Before the hon. gentleman leaves that, perhaps he would tell us whether it was demonstrated that the suspicion was well founded, that even one animal was diseased?

Mr. BICKERDIKE. No, sir, it was not. I will produce evidence, with the permission of the House, to prove that the animal landed in Glasgow was all right but that she got the disease after she landed there. It was an old cow that happened to be shipped over. This one animal contracted the disease after she landed in Scotland. That was the only case and that was the case that was used as ground for placing the embargo upon us.

Mr. SPROULE. There must have been some mistake in the history of the case, because it was stated that the disease was detected in an ox brought from Manitoba and taken over on the 'Monkseaton.' How do you turn it into a cow?

Mr. BICKERDIKE. The ox taken over on the 'Monkseaton' is another case to which I will refer. Their own inspectors acknowledged the fact that they had made a mistake. I have the facts in connection

with the animals sent over on the 'Monkseaton' here. But hhat I do feel is that the British Board of Agriculture know that we have no disease here, and that we have given them ample evidence of that fact. I would say in reply to my hon. friend from East Grey (Mr. Sproule) that even if two animals out of a million and a half were suspected of being diseased, that is no guarantee that there is disease in the cattle of this country.

Mr. SPROULE. I do not wish the hon. gentleman (Mr. Bickerdike) to misunderstand me as contending that they were diseased because I think it was shown beyond any possibility of doubt that they were not cases of pleuro-pneumonia at all.

Mr. BICKERDIKE. I claim that Canadian cattle shippers feel deeply the injustice that is being done. While views may differ as to the advantage to be derived from sending out of the country live and unfinished cattle to be fattened abroad, there is a unanimity of feeling that the embargo is virtually a declaration that disease prevails among Canadian cattle while there are none healthier in the world. This is the sting. It is an untruth on its very face and that untruth should be rectified at all costs. There are no politics in this question and all parties should unite in demanding the rights of the Canadian farmers.

Expert evidence from the best veterinary professors in the world proves our herds to be free from disease. I have before me the statements of the professors at McGill, of Prof. Smith of Toronto and of several professors on the other side of the Atlantic who certify that there was no such disease known in this country, and that this very animal was not afflicted when she arrived in Glasgow. I think I am safe in saying that the British Board of Agriculture, for the last fourteen years, have been and are at present perverting the facts by mean subterfuges and equivocal language for the purpose of continuing a system of protection, not against disease, but against competition in live stock from the Dominion of Canada. This has been going on since 1892. Efforts have been made by my hon. friend the Minister of Agriculture (Mr. Fisher) to have the embargo removed but with no effect. A deaf ear has been turned to us on all occasions. I claim that their persistent ignoring of all evidence, their repudiating of all fair trade principles, their denials of justice to Canada, their dishonest and unpatriotic treatment of the Canadian cattle question prove them to be either wanting in statesmanship or false to the interests of the British empire, of which Canada is at least an important pillar, that they have proved themselves therefore to be unfit to hold the important position which they occupy in the British government, and that they should be overruled in their blind and unpatriotic course by the British people at the earliest possible opportunity.

Mr. BERGERON. In spite of our preference ?

Mr. BICKERDIKE. In spite of our preference. I claim that they are continuing a system of protection not against disease, and I believe they are well aware of the fact. Now, Sir, there are many in Canada, including myself, who say let the embargo remain if a good sound reason can be given for it, but it might be well that I should first point out when and why the embargo was placed on Canadian cattle. In November, 1892, the British government issued an order requiring all Canadian cattle landed in the United Kingdom to be slaughtered within a limited time at the port of debarkation. Previous to this action Canadian cattle had been free to be moved from place to place in the United Kingdom, under those circumstances it was possible to hold them over from one market to another if prices were bad. There was also a considerable trade done in stockers, or what is known in England as half-fattened animals, which Scotch and English farmers bought, fed and finished. The ground of the British government's action was the alleged discovery of a case of pleuro-pneumonia in an animal from Canada that had been shipped to Scotland, and in connection with this case, after a thorough investigation having been made it was proved beyond the shadow of a doubt, that the animal had contracted the disease in Scotland after leaving the ship. Efforts have been made on many occasions since to secure the withdrawal of the scheduling order on the ground that pleuro-pneumonia was a disease unknown in Canada. It was also shown to Mr. Gardiner, the then president of the British Board of Agriculture, that the animal had contracted the disease after landing in Scotland.

It is a disputed question in this country as to whether it is better for this country to ship unfinished or to feed them here and send them over in a finished condition. There are differences of opinion about that. It may be that Canada's direct financial interests suffer little from the embargo, but this does not detract from the truth of the fact that the embargo is unjust, that it is suspiciously like a subterfuge ; if it does not diminish Canada's credit it certainly injures her reputation.

Great Britain claims that we have disease amongst our herds. Our reply to that is, that if it is a disease it should be given its proper name, namely, 'protection,' and not 'pleuro-pneumonia.' Canadians are the last people in the world to object to any government availing itself of any fiscal system that to it seems good, they are not in the habit of intruding their ideas into other countries' affairs. If Great Britain thinks protection in cattle is the proper thing, we are pleased to say that it is her business, but when a patent piece of protective legislation is devised, and Canadian products

are decried in order to obscure the fact that the protection exists, a wrong is done us, which is quite in contravention of the boasted system of British fair-play that we have read and heard so much about in the past. The British government are within their rights in stifling competition, but they are not within their rights when they accuse us, the Canadian agriculturists, of a desire to sell diseased cattle to the British people.

Mr. BLAIN. Is it not a fact that the president of the Board of Agriculture in the old country has already stated publicly, and I think in a communication to the Minister of Agriculture that they did not continue the embargo because of a belief that there is any disease amongst Canadian cattle. That was stated in the Agricultural Committee by the minister this year.

Mr. BICKERDIKE. I think possibly the Minister of Agriculture will remember that the president of the Board of Agriculture did not make it quite clear that I had several letters from him which I would read to the House if the weather were not so hot. He claimed that he believed that we had got rid of disease and I have asked him: If we have no longer any disease in Canada why not remove the embargo? His reply was that he felt they could not very well remove the embargo at the present moment without doing the same for the United States, that it would be giving a preference to Canada that they could not give to the United States. The mother country, as my good friend knows, occasionally does a little flirting with Uncle Sam, and this is one of these occasions. On many occasions, as my hon. friend knows as well as I do, there is considerable flirtation going on and Canada provides the band. We pay the piper and the music comes high. I claim that it is a wrong done to this country quite in contravention of that boasted system of British fair-play.

There are many in Canada, including myself, who say if they wish to establish protection in England 'long may it remain if only a valid reason is given for it. Yet, why should the mother country stigmatize our cattle as unhealthy, and perpetuate what they know was an error from the beginning?

Mr. BERGERON. Are there any diseased cattle in the United States?

Mr. BICKERDIKE. There were at the time, but there are none in the western states now. There were some in the eastern states last year, but that was the foot and mouth disease, a different matter altogether.

Mr. BERGERON. I ask this because by our quarantine arrangements American cattle could come into this country unimpeded, and as the British government could not distinguish the American from the Canadian cattle that might have been the reason for the embargo.

Mr. BICKERDIKE. At that time there were no American cattle coming through Canada. Fortunately, such are the attractions of the country and the great possibilities of its development, that we have not suffered so much in our immigration as we might have done by the unjust aspersion thrown on the healthfulness of our herds and the safety of stock raising in a country where no cattle plague exists or can be introduced, or exist if the same vigilance is exercised in administrating the quarantine in the future as has been exercised in past years, as no doubt will be the case. Surely the time has come when we may expect, as a matter of simple justice that this embargo will be removed, and our live stock allowed entry to any market in the British empire—wherever the Union Jack flies—and all doubts be removed from the minds of agriculturists who would seek homes in Canada if they were assured that no ruinous cattle disease exists or can exist in the vast country, which in time, and a short time too, will not only supply grain, but animal food, and animal products and gold sufficient for a large portion of the inhabitants of the world.

Is there anything unfair in what we ask? The British government says: You have disease. I shall show you how this came about. We have proved to them that we have no disease, and yet our cattle are shut out. While that little flirtation is going with the United States they do not want to allow our cattle to come in again because they are afraid of giving some slight offence to our neighbours to the south. I think that I know old John Bull probably as well as any other member in this House. I have been doing business with him for over thirty years, and I would venture to say that there is not a particle of sentiment in any of his dealings. John Bull would buy from a Hottentot just as readily as from loyal Canada. With him, it is a well laid down principle that 'business is business,' this principle underlies all his transactions and always prevails.

I think it would be well, if the House will permit me to give a short history—and it must necessarily be very short—of what led up to the embargo, and to show the effect it has had on this country. The rapid development of the export live stock trade from the United States and Canada to Britain in the early seventies, naturally gave rise to considerable alarm among the live stock breeders, especially on some sections of England and Ireland, lest the trans-Atlantic competitors should render home production unprofitable, but more especially did the British farmer fear as well he might the introduction of contagious diseases, in which he had very bit-

ter experiences: thus, in England rinder pest (cattle plague) was introduced in June, 1865—and by March, 1866, nearly 200,000 cattle had perished. It was carried thence to Holland and within six months 115,000 cattle were killed. Contagious pleuro-pneumonia from 1854 to 1860 killed over a million of cattle in the United Kingdom, worth at least $60,000,000. Foot and mouth disease in 1872 affected over 200,000 cattle causing a loss of over $3,000,000. Consequently it was to be expected that the time would come when an effort would be made to at least partially exclude these new and threatening competitors, and it soon became apparent that although on account of the existence of disease in the United States, an embargo was placed in 1879 on United States cattle, while Canadian cattle were free to enter British ports, and any market in Britain, it would require but a flimsy excuse to include the cattle of the Dominion in the schedule. This is illustrated by the following list of cases of detention of Canadian cattle from 1882 to 1892. I want to say right here that one of the most systematic courses of persecution was carried out on behalf of the British Board of Agriculture against the Canadian farmers which could possibly be imagined. they would seize our ships. Probably three or four large steamers a week loaded with cattle would land at British ports.

Some veterinarians would be sent from London to see if there was disease in our cattle. He would see the whole cargo. We were not allowed to sell them. He would have three or four slaughtered and their lungs sent to London for inspection, and in a day or two word would be sent back that there was no disease found in the cattle and they would be cleared. I maintain that the action of the British government in this matter is unfriendly, to say the least. Imagine a great and powerful nation like Great Britain allowing its Board of Agriculture to stoop to a subterfuge of that kind, in order to prevent competition from Canada. I think, Sir, that the time has arrived when the Canadian Government should say very plainly to Great Britain, respectfully and politely, but firmly, that Canada is no longer a nation in short clothes, that we have attained our majority, and that we demand our rights.

Mr. SAM. HUGHES. Better send a man-of-war over and take them.

Mr. BICKERDIKE. Yes. In August, 1883, three cargoes of cattle from Quebec on board the ss. 'Oregon', 'Nepigon' and 'Anger Head' were stopped at Liverpool by the privy council inspector, as being infected—it was stated in the first place, with splenic fever, and subsequently it was reported that Texan fever was the disease from which they were suffering. However, after a careful examination of several animals that were slaughtered, they were pronounced free from disease. I have hundreds of these cases, but I want to cite just a few to show the determination of the British government or of its Board of Agriculture to exclude Canadian cattle at all costs. At Bristol, in August, 1883, it was reported that foot and mouth disease had been discovered among Canadian animals at that port. Inquiries, however, into the matter elicited the fact that the animals had been passed at Liverpool as being in good order, and that they had been deposited, on their arrival in Bristol, in a yard in which some cattle from Ireland had previously been placed; and it was in this way that the Canadian cattle caught the infection. But it was in 1884 that we met with the greatest fright that the cattle trade of this country had ever experienced. On the 22nd of February, 1884, the steamship 'Ontario' arrived at Liverpool from Portland, Maine, with a cargo of cattle and sheep, some of which were Canadian. They were found to be affected with foot and mouth disease, and immediately slaughtered. That was the only case we could ever find of Canadian cattle affected with disease being landed on the other side. We knew that some mistake had been made or that some trick had been played, and we immediately called a meeting of the cattle men, which was held at Toronto, and over which the late Alderman Frankland presided. We decided to send men to Portland to endeavour to find out whether or not this was the case. Before we did so, the government here cabled to the Hon. Sir Charles Tupper, then the Canadian High Commissioner in England, to have the matter investigated, because we felt sure that there was no such disease in this country. I wish to give Sir Charles Tupper credit for what he did on that occasion. He took off his coat and rolled up his sleeves, and went to work with a will. On the following day, however, we received a cablegram from Sir Charles Tupper stating that the cattle had landed there with foot and mouth disease. We immediately started an investigation to find out how that disease had been contracted. We knew that when the cattle left here, they were free from disease, and we traced the disease to the fact that the steamer 'Ontario,' on her previous voyage to this country, had brought from England to Portland some forty head of prize cattle for breeding purposes. These cattle were found during the period of quarantine detention at Portland to be affected with foot and mouth disease; but in the meantime the Ontario had started on her return trip to Liverpool with the cargo of cattle and sheep above referred to, and they on the voyage contracted the disease from the infected state of the vessel, as the steamer had not been properly fumigated. The moment Sir Charles Tupper brought that fact to the attention of the British Board of Agricul-

ture, these cattle were released, and the evil day was put off again. Canadian cattle were again detained in June, 1884. On the 16th of June in that year, the steamship 'Mississippi' arrived at Liverpool with a cargo of Canadian cattle. It appears that twenty-four beasts died on the voyage, and that the consignees slaughtered four of the remainder on arrival, as they showed signs of fatigue. The Privy Council inspector however, regarded the four animals as free from disease. On the 13th of November, 1890, the 'Linda' arrived at Newcastle with a cargo of Canadian cattle which upon landing were detained by the Privy Council inspector on account of suspicious symptoms shown by some of them. The cattle were released on the following day. It appears that the 'Linda' had an exceptionally rough passage, and that nearly 400 of the animals had been lost on the voyage. The rest of the cattle arrived in very bad condition. Every member of this House who knows anything about the cattle business will realize the expense and inconvenience resulting from the detention of several hundreds of cattle in the yards until these gentlemen had time to inspect them. Again, in December, 1890, the 'Corean' discharged a cargo of Canadian cattle, which were detained by the Privy Council inspector on account of suspicious symptoms presented by a dairy cow. The cow was slaughtered and the lungs were sent to London on the same day. They were found to be affected with tuberculosis, and the cattle were released on the 7th of December. On the 24th of May, 1891, the 'Lake Huron' discharged a cargo of Canadian cattle which were detained by the Privy Council inspector on account of the condition of one of the animals. This was slaughtered, and the lungs were sent to London. Upon examination they were found to be free from pleuro-pneumonia. It appears that the animal in question had been suffering from an old attack of tuberculosis which had become incysted, that it had contracted bronchial catarrh and had also developed fever. The evil day was averted, largely through the activity of the High Commissioner, Sir Charles Tupper, and the veterinary officers of the Dominion, the chief inspector being in constant correspondence with the officials of the Department of Agriculture at London, between whom mutual confidence was established. However, the reported discovery by a local inspector at Dundee, of a suspicious case of contagious pleuro-pneumonia in a cow which was one of a cargo of cattle landed at Dundee on the 29th of September, 1892, on the ss. 'Monkseaton,' and sold on October 6th, along with another cargo of 685, also from Montreal on the ss. 'Huron', which landed on the 5th. The animal was ordered to be killed and the lungs sent to London, where they were examined by Professor Brown, A. Cope and the late Mr. Duguid, who pronounced it to be affected by contagious pleuro-pneumonia. Notwithstanding the strenuous efforts of the High Commissioner at London, and the officials in Canada, the Animals' Order of 1892, by the Board of Agriculture was passed, and went into force on the 21st of November, 1892. The government of the day in Canada at once ordered a most thorough search and investigation to be made to determine if contagious pleuro-pneumonia existed in Canada. Another meeting of the cattle men was held in Toronto and was attended by all the cattle men in the country that we could reach. It was presided over by ex-Aldermen Frankland, who was a large exporter of cattle. The meeting decided to assist the government in investigating whether there was any disease in the country, and the following circular was sent out to all the veterinary surgeons in the Dominion of Canada:

In consequence of the action of the Veterinary Department of the Imperial Privy Council in ordering the slaughter of the cargoes of cattle on ss. 'Monkseaton' and ss. 'Hurona' on suspicion of pleuro-pneumonia, and in compliance with your instructions of 25th and 28th October, I have had a most searching and thorough investigation instituted. I have now received the reports from all the veterinary surgeons employed to make a farm to farm visit of inspection in all the districts whence the cattle forming the cargoes of these steamers came, extending from Brandon in Manitoba to Stanstead in the eastern townships of Quebec.

I have here a certificate furnished by Professor McEachren at that time to the government, which speaks for itself:

I have made a thorough examination of all the cattle in Canada from the Atlantic to the Pacific ocean, and have not been able to discover a single case of pleuro-pneumonia that has ever existed in Canada nor does it exist at the present time among Canadian cattle. The action of the placing of an embargo on Canadian cattle by British government is certainly not justified on the grounds of disease, and it ought, in justice to this country be removed immediately.

I have the honour to be, &c.,

(Sgd.) D. McEACHREN.

I think it is established beyond doubt that there is no such disease in this country. The whole country was surprised to hear that even a suspicion of disease should exist, and all were equally determined to verify the allegation that there was any disease. With this object in view one of the largest and most representative meetings of cattle dealers and exporters ever held in Canada was convened at the Bull's Head Hotel, Toronto, immediately after the arrival of Dr. McEachren in that city, and at that meeting the following resolution was unanimously passed:

Resolved, that, in our opinion, no contagious pleuro-pneumonia exists in Canada, and that we present at this meeting do undertake to assist the government officials in every way in

our power to make the investigation now proceeding effective.

G. F. FRANKLAND,
Chairman.

The following is a copy of a circular letter of instructions sent to each inspector :

Owing to a cow which was landed in Scotland from ss. 'Monkseaton' being suspected of pleuro-pneumonia, it is necessary to trace the animal to the farm from whence she came. From information received, it would appear that some of the cattle came from your district.

That was sent to our veterinary inspectors all over, and to prove my good faith I shall give a few of the names. Among others they were sent to Mr. McClure, veterinary inspector at Woodstock, Prof. Andrew Smith, the veterinary inspector for the province of Ontario, Prof. Couture, of Quebec, Messrs. Baker & McEachren, of Montreal, W. Gowan, V.S., of Galt, Ont., J. H. Wilson, V.S., of London, Ont., D. H. McFadden, V.S. of Emerson, Man. There are many others whose names I shall not take up the time of the House by reading, and to show the good faith of the cattlemen, I might add that they assisted these veterinary surgeons in every way possible in their effort to ascertain whether there was ever any disease in this country or not. After the most thorough investigation possible and inquiries covering the entire Dominion of Canada from the Atlantic to the Pacific, no cattle diseases could be traced in this country except on one occasion, and that was a case over which the House will admit we had no control. On one occasion there was a shipment brought from Scotland to the quarantine station at Quebec, in 1886. This was the only time the disease was ever traced as having got into Canada, and I will show that it never got beyond the limits of the quarantine station at Quebec. It was promptly stamped out within the limits of the quarantine inclosure, not a trace of it being allowed to pass these limits, every hoof even suspected of possible contact being slaughtered and cremated. Not only did we have the cattle slaughtered and cremated, but the buildings were destroyed, the whole wood work burnt, and new buildings put up. The efficiency of the quarantine by which imported animals are allowed to enter Canada further warrants me in asserting that pleuro-pneumonia could not and has not entered Canada through them except on that one occasion. We have at St. John, N.B., Halifax, N.S. and Point Lévis, Que., quarantine stations, which secure the most perfect isolation from native stock, and where imported animals are detained 90 days, under the close daily observation of the local veterinary inspector. At Point Edward, near Sarnia, in Ontario, and Emerson, Man., similar quarantines are maintained and the regulations most rigidly carried out. Canada is in fact entirely free from that destructive plague, and there is therefore no reason why any embargo should be put by the Canadian authorities or Canadian cattle. Why that embargo is maintained is no doubt due to political reasons and a desire to protect English cattle.

If any argument were required to prove that no good grounds for placing or maintaining this unjust embargo on the healthiest cattle in the world, it is to be found in the fact that during the past few years between two and three million cattle have been exported from Canada to Great Britain and the United States without one single case of contagious pleuro-pneumonia having been established. Canada is to-day, as she always has been, entirely free from this destructive plague, and the British Board of Agriculture knows that well, yet for reasons that we know to be protection, the embargo is allowed to remain. Pleuro-pneumonia is a disease unknown in Canada. It has never existed, and does not exist at the present time.

There may be, and probably is, some undisclosed political reason influencing the British government in maintaining this purely protectional restriction against the exportation of Canadian cattle, otherwise it is difficult to understand it. But, let the political influence be what it may, it is difficult for Canadians to imagine any political consideration which could influence the imperial parliament to refuse a direct request of loyal Canada to abolish restrictions which are hurtful to our financial interests and offensive to our imperial sentiments. They appear to forget that Canada is no foreign country; we claim to be and we are, an integral part of the British empire, loyal to the core, with whole-hearted sympathy, with British aspirations. But, is it not like destroying our birthright, to steal our good name and to brand us as having within our borders cattle that are not fit to go to Great Britain or any other country ?

I would like to add just a few words to show the importance of this trade to this country before I take my seat. Not long ago our men were in South Africa valiantly fighting to maintain the supremacy of Britain in that country. And I have never heard a single case where these men did not receive the greatest possible praise. Well, Sir, at the very time when our boys were fighting for the British flag and the maintenance of British power in South Africa, the British War Office called for tenders for a supply of beef, and a clause was inserted in the specifications that would have excluded Canadian beef from competition. And it was only after our Minister of Agriculture had put his foot down—and, I understand, put it down pretty firmly—that that condition was removed from these specifications.

Now, let me give a few figures—only a few—to show the importance of this trade. I have already spoken of 1892 as the stocker year. That was the year when the embargo

was put on. In that year, 1892, we shipped 99,235 head of cattle to Great Britain. In 1893, the number fell to 83,000. I need not quote the figures for the several years; but I may state, that, notwithstanding all drawbacks we exported to Great Britain in 1903 no fewer than 147,201 head of cattle. And I claim that, if there was no embargo against Canadian cattle, the number would have run up to two or three hundred thousand. Is it not clear that the time has arrived when we should say to Great Britain, as I have already suggested—respectfully, politely, if you will, but very firmly—that this stigma of disease must be removed and our cattle allowed to go into any country, over which the British flag flies ?

Mr. M. S. SCHELL (South Oxford). The importance of this question is so great, that, even at this stage of the session, we may well afford time for the discussion of it. Although efforts have been put forth in this House, and although the press of Canada has directed its attention to this question, still up to the present time, we have failed to secure the object we have in view, in the removal of the embargo on our cattle. Everything combines to prove that this is an opportune time to renew our efforts, and an opportune time to continue this discussion. We believe that the merits of our case are such that when that case is presented to the British people they will be more disposed to consider the subject favourably. We are glad to know that British officials practically recognize that our cattle are free from pleuro-pneumonia. For some years they took the position, absolutely, positively, that our cattle were affected with this disease. We claim that now that they have practically recognized that that is not the case, they should, as has been suggested in this House, publish to the world their change of opinion. And we believe that if the matter is pressed by this House and properly presented to the British people they will recognize the justice of our contention, and, we hope, will remove the embargo which is so prejudicial to the trade of Canada. I have said that this is an opportune time for this discussion. You have only to read the speeches that have been delivered recently by the men who have been meeting our manufacturers on their visit to various places in Great Britain. Let me call your attention to a few words uttered by Hon. T. S. Brassey on a recent occasion :

> The trend of the policy of Great Britain was towards the reform of the tariff in the interest of her own people, and then to give a substantial preference to the colonies, sufficient to divert the stream of emigration from the United States and Argentine.

I might refer to other utterances of a similar nature. We know that the agitation in Great Britain in regard to the tariff is very largely due to the desire to encourage trade between the different parts of the British empire; and we also know that the preferential tariff inaugurated by this government has done a great deal to draw the attention of the British consumers, as well as the British public generally, to the trade of the colonies. And we believe, that seeing what has been already done by the Dominion government in order to foster trade between the colonies and Great Britain, they will be ready to recognize our claim on this subject of the cattle embargo. We contend that their position is strangely illogical in dealing with the embargo and thus hampering our export of the cattle trade. They have recognized that our cattle are practically—in fact I may say entirely—free of pleuro-pneumonia. We claim, therefore, that they should not hesitate to remove this embargo. We know, of course, that Englishmen are intensely conservative. They possibly think that the removal of the embargo might have an injurious effect upon their trade and so, through the operation of public opinion, injure the political party that was responsible for the change. But we do not believe that the removal of the embargo would very seriously affect the price received by British producers of beef. On the other hand, the privilege of allowing our cattle to be held a reasonable time after they arrive at English ports, instead of being compelled to be slaughtered within ten days, would result in our beef being placed upon the market in much better condition, and so would enable it to command a better price without seriously affecting the price that would be obtained by the English breeders and growers. Further, we believe, as was intimated by one of the hon. gentlemen who preceded me, that the privilege of allowing our cattle to be held after their arrival in Great Britain until they are more fully ripened would be a great advantage to our producers and would improve the quality and the reputation of our beef.

The importance of this industry to Canada has already been referred to. We are exporting now to the British market something over $10,000,000 worth of cattle annually. In 1903 the number exported, as has been stated, was 147,000 head. Last year the shipments were a trifle more, probably amounting to 150,000 head. We believe that with free entry into the British markets this trade would be developed immensely. We know that many farmers have not facilities for improving their cattle for the English markets, and if the embargo were removed their cattle would be more readily purchased in England for feeding purposes; both English and Scotch farmers would be glad to have our cattle and continue to feed them for a time until they were made fit for the market. I hope our government will succeed in getting this embargo removed. I think if this matter were pressed strongly on the attention of the English government they would be induced to yield to our request. Especially should we insist upon the fact that our cattle are free

from disease, and try to get that fact more fully recognized by the English political leaders and the English press generally. We consider that it is unfair to Canada to exclude our cattle on the ground that they are affected by disease, when, as a matter of fact, they are not diseased, and when the embargo is kept up purely for the protection of the English producer.

Mr. T. S. SPROULE (East Grey). The House is indebted to the hon. member for Bruce (Mr. P. H. McKenzie) for bringing up this question, and to the hon. member for St. Lawrence division, Montreal (Mr. Bickerdike), for the succinct history of the question which he has given to the House. I remember when these discussions began to take place in this House. The first was with reference to the action of Sir Charles Tupper, when he succeeded in disabusing the minds of the English people of the error that diseased cattle were being imported into Great Britain from Canada, under which error the English government had put the embargo on. At that time Sir Charles Tupper was High Commissioner for Canada, and he went down into the pens where the cattle were slaughtered, took off his coat and donned a butcher's overalls, and, in company with a veterinary surgeon, he made a thorough examination of our cattle; and, being a medical man himself, he was well able to do so. To that extent did he succeed in convincing the British people that there was no justification for the embargo, that it was removed. When it was claimed on behalf of the Conservative government in Canada that some credit was due them in this regard, I remember the discussion which took place in this House and when the Liberal members refused to give the government any credit. Some of the Reform members declared that it was of no use to the Canadian farmer to get this embargo removed, but it would rather be an injury to him ; that it would be better if he did not have the privilege, because he would then finish his beef in Canada and get a better profit from it. I think I can name some of the gentlemen who made that argument. Now, in 1892, owing to the fact that two of our cattle, as already mentioned, were taken into Great Britain and supposed to be diseased, the embargo was again put on by the British Board of Agriculture, and a further attempt was made in Canada to have it removed. I am glad the hon. member for St. Lawrence division, Montreal, has related to the House step by step what was done in this connection. I recognize that no one in Canada is entitled to speak with greater authority than that hon. gentleman, because he has always been interested in this question, and no one is better able to declare, as he has done, that everything in reason was done that could be done to convince the British people that there was no pleuro-pneumonia among the cattle imported from Canada. We remember the various steps that were taken by the Conservative government, through its officials, with Dr. McEachren at the head of them, to assure the British people that our cattle were healthy. Various veterinary surgeons were employed to go all over the country and examine the herds and send in their reports, and upon the strength of these reports we gave a certificate of health to the cattle going over. That was done for the purpose of convincing the British Board of Agriculture that we were being unjustly dealt with. I remember the long discussions that took place in this House in 1892 with regard to that. We had allegations made by the Liberal members that the embargo was placed upon Canadian cattle owing to the laxity of the quarantine regulations that were carried out by this government. American cattle were being brought to Canada under special regulations that were being carried out so as to ensure the freedom of Canadian cattle from disease.

Mr. BICKERDIKE. They were not brought to Canada, but were taken through Canada in sealed cars, I think, from Sarnia.

Mr. SPROULE. American cattle were passing through Canada, but the regulations provided that they should be examined at the border, at Sarnia. Then they were put in cars which were sealed up, and were accompanied through the country by an agent to see that they were not allowed to be disembarked while they were on Canadian soil.

Mr. SAM. HUGHES. Were not those same cars frequently brought back into Canada and used for carrying Canadian cattle ?

Mr. SPROULE. They were cleaned out and disinfected by fumigation and otherwise. The contention from the government side was that the embargo was not due to any relaxation of the quarantine regulations or to the imperfect examination of those cattle ; that the regulations had been carried out to the letter as previously insisted upon by the British Board of Agriculture. The opponents of the government, however, contended that the British people knew that our regulations were imperfect, and for that reason did not remove the embargo. Our opponents promised that if there was a change of government, and if men took hold of it who had business habits and business experience, there would be little difficulty in getting that embargo removed. In 1896, when we went to the country, the people were told how much the Canadian farmer was losing by this embargo. They said the present government could not get it removed because they had themselves been instrumental in bringing it about, and they contended that if the Reformers were elected there would be no difficulty whatever in getting it removed. No doubt the present Minister of Agriculture joined in that campaign, and told the

farmers how easy it was to accomplish this object if they only had business men at the head of the government. Well, the country made a change, and as soon as the new government came in they tried to get the embargo removed. They have been in power nine years, and have not made any great headway. They claim that everything has now been done that it is possible to do; nevertheless, the embargo on Canadian cattle still remains.

Well now at least he ought to admit that he is not able to accomplish any more than the Conservative government before him notwithstanding all the ability which he has represented to the Canadian people he possesses. These were the contentions that were put up. To-day we are passing this resolution. It is a report from the Committee on Agriculture. I agree with the report, if it accomplishes any good, but I am afraid it will not accomplish what we desire. But if it does accomplish that desire, I shall be very much gratified and I agree with my hon. friend that we cannot have it brought to the attention of the English people an hour too soon. But, there is another phase of the matter that is rather interesting and amusing to me. When the question was discussed by the Committee on Agriculture, quite a while ago, a delay was asked until we could have another phase of the question brought to the attention of the committee, but it was declared that it could not be kept waiting an hour or a day because it was important to have it reported to the House at once and to have the report concurred in by the House and sent across to the old country immediately. However, it was only presented to the House on the 26th of June and now on the 7th July we are moving for the adoption of the report. There does not appear to be such urgent need to hurry it up now notwithstanding the fact that it was represented to us in committee that it would be unwise to retain it a day or two longer. There was, therefore, not such urgent need as would justify the committee in pushing it through in such haste. The parties who have this matter in charge declared that the contentions which were put up were so valuable that they must take action in regard to them immediately, but they have not shown by their conduct that they really think them so valuable as they claimed them to be. What does the report say? It declares that this is a great injustice to Canada. I agree with that. This embargo, we believe, has been imposed under false pretenses. They pretend that there is danger of importing disease from Canada whereas that disease has never existed in Canada and it could not be imported from this country. It is an injustice to us because it is practically telling the whole world not to take cattle from Canada for breeding purposes because there is danger of importing disease. The British Board of Agriculture says: We will not allow cattle from Canada landed in Great Britain to remain for more than ten days because within that time they must be slaughtered at the port of entry. We think that is an injustice to the Canadian people. We have endeavoured to ascertain the reason for keeping on this embargo. We believe that this is entirely a protective measure in the interest of the British farmer and nothing more, and that the English people, who are not protectionists in principle, are afraid to admit that it is a measure of protection. Therefore, we are unjustly dealt with, it is done under false pretenses and it is a great injustice to Canada. My hon. friend from St. Lawrence division, Montreal (Mr. Bickerdike) said that there is no element of sentiment in John Bull's nature and that with him business is business from start to finish. Well, I think he is pretty correct in that. If the English people have an object in view they endeavour to carry it out. However, I want also in connection with that to refer for a moment to the trip of my hon. friend the Minister of Agriculture (Mr. Fisher) to England in connection with this question. He went over there to look after the interests of the farmers of Canada and when he was pressing the suit of Canada he might have said that in view of the preference we have given to England we were entitled to a preference in the market of the motherland. But, what did the hon. Minister of Agriculture say? What he said was published in the papers and marked copies were sent over to Canada. I know that because I got one. He declared that we wanted nothing at all from England, that what we had given her we had given of our own free will, voluntarily and that we asked nothing in return. That is not business. My principle is, like John Bull's, if you give anything to any one you ought to get something in return. I think it was the duty of the hon. Minister of Agriculture to show what Canada has done and what Canada is doing for the British people, and in view of this consideration to ask that some concessions be made in favour of Canada. I regard that as a very proper and legitimate argument to present to the British people, and I do not think our Minister of Agriculture or our Finance Minster exemplified the highest type of statesmanship or business when they went over to England and said: What we have given we have given freely of our own motion and we do not ask anything in return. If I allow neighbours to cross my farm by a special route that makes it easy and convenient for them when I will not grant that privilege to the general public, if I have done something for my neighbours that I have not done for the general public and if I ask them to reciprocate that kindness by doing something, for me I would expect them to do it. I would expect some return from

those parties to whom I had given this concession. I apply the same reasoning to John Bull because business is business with me. That is one of the proper and legitimate arguments that I should have plied him with to justify our request that the embargo be rescinded. I think the people of Canada will agree with me in that at the present time. I do not desire to say much more in regard to the present matter. But there was another proposition made at the committee and that was that the present hon. Minister of Agriculture with the Ministers of Agriculture of the various provincial governments be sent home as a delegation to wait on the imperial government and endeavour to get them to remove the embargo. Well, there may be some merit in that. I am rather inclined to think there would be and I think that it is worth while trying although I do not know that it would accomplish very much if we did not ply them with every argument that we have a right to ply them with. We want them to do something for every item that we have done for them more than we have done for the general public and the rest of the world. But, I think we ought to go farther. We ought to have some direct alliance with the Scottish farmers, and with a few of the English farmers who desire to get our cattle and finish them in their own country and also with the consumers there. There is a profit in it for them. It may be that they might co-operate with us for selfish purposes, but if we succeed in making the impression so strong upon the British government and the British people that they will remove the embargo that is all we want whether we succeed by virtue of their assistance or do it alone. We might also say to the English people. Your beef would be cheaper if our cattle were allowed to go over there and were given the freedom of your country. I do not think it would carry much weight with them because they might say: We ought to know better than you what to do in that regard. However, it would not be improper to say that. But, I think we ought to go strongly on this that there is an advertisement given to every nation in the world not to take cattle from Canada because there is danger of importing disease from there. Canada is Great Britain's first colony; surely she ought to do that justice to her own colony that she would at least remove that false impression that has been created in the eyes of the world. My hon. friend from St. Lawrence Division, Montreal, said this afternoon that there was no sentiment in the British people, and that at the very time they were sending beef to feed the army in South Africa where our own Canadians were fighting the battles of the empire they had a regulation in force prohibiting Canadian beef from being used. I heard it said in the House, but strange to say the hon. Minister of Agriculture knew nothing about it until a man from the Northwest brought it to his attention. I am just giving this as an evidence that with all the ability for which I give him credit, there is a possibility of him neglecting some things that would be of value to the Canadian people and especially to the Canadian farmers. I am willing to give him credit for every reasonable effort that he makes, and I do not wish to detract from whatever he is doing because he is making an effort to help the Canadian farmers in many lines, but while saying that I must say that the Conservatives have been very unjustly criticised regarding this very same question in the past. Very severe criticism was meted out to them for what they did, and hon. gentlemen opposite called upon the people to put in their places men of greater business ability who would accomplish a great deal more. But, the minds of the people must be disabused to-day of the impression that was then sought to be created, because these good business men have been trying and they have not been able to accomplish what they declared they could accomplish. We are still working on this vexed question and hope for success in the future, and if we can do anything to promote that success, I am sure it will not be amiss for this House to make an effort.

Hon. SYDNEY FISHER (Minister of Agriculture). I ought perhaps to say a few words on this question before the motion is put, and, as I hope, carried unanimously by this House. I am glad that in this debate so far, practically no difference of opinion has been expressed. The hon. member for East Grey has been rather disposed to drag a little political feeling into it but I am sure that will fall by the way and not be noticed; I do not propose to notice it myself. This is not a party question in any shape or way.

Mr. SPROULE. No.

Mr. FISHER. It is a question on which the people of Canada I think are practically a unit, and the expression of the opinion of this House, now that the Senate has expressed its opinion a short time ago, may serve some good purpose. I have not myself been disposed to open this question and keep harping upon it. The government have made representations to the government of the motherland so that there could be no uncertainty in the minds of those in authority there as to the opinion and as to the feeling of the people of Canada. There have, however, lately been one or two occurrences in Great Britain which would lead us to believe that there was some uncertainty, and therefore I think that this is an opportune time for the removal of that uncertainty finally and absolutely. Not long ago the Minister of Agriculture in England gave expression to some words which in-

dicated that he thought the people of Canada were on the whole satisfied with the existence of the embargo. I have before me his words and this part of his utterances is as follows :

He accepted his colleague's statement——

That was a statement contained in a despatch which I had the honour of recommending to council and which was sent forward through usual channels to the imperial government.

He accepted his colleague's statement that Canadians were not satisfied and would like the Act repealed, but this could not be the unanimous opinion in Canada for the Department of Agriculture of the Northwest Territories declared in 1902 that the prohibition of the admission of Canadian live cattle into England might prove to have been a blessing in disguise in developing feeding and the dead meat trade of Canada.

I looked up the reference in the report of the Department of Agriculture of the Northwest Territories and I found a paragraph in the report of 1902, page 55-56 which reads as follows :

Of course, opinions differ as to whether or not the embargo is a blessing in disguise. Some very excellent authorities state that the final effect of the embargo will be to force the Canadian farmer into grain finishing all cattle before export, and that it will also have a tendency to hasten the development of the dead meat trade. If either of these predictions is realized, and there seems to be every reason why they should be brought about, we may well characterize the action of the British authorities in this matter as a 'blessing in disguise.'

That utterance might perhaps justify the statement of the Minister of Agriculture the right hon. Lord Onslow, at Youbil, on February 8, 1905. Lord Onslow has since ceased to be Minister of Agriculture, and has been succeeded by the right hon. Aylwin Fellowes.

I venture to think that statement in the report of the Agriculture Department of the Northwest Territories would not meet with general acceptance even in the Northwest Territories, and still less in other parts of Canada. I venture to think that while some people may desire to develop the dead meat trade, a very laudable desire, while some people may consider that it is better for us in Canada to grain-finish our cattle and send them to England fully ready for slaughter—also a very good opinion and one in which I share—still that does not prevent us from seeing that the embargo is a detriment to the Canadian cattle trade and to the producers of cattle in Canada. It is true, I believe at any rate, that we ought to develop a dead meat trade with England. It is true, I believe, that it is in the interests of the Canadian farmers that cattle sent to England should be finished to the highest state of perfection before they are sent, but even so, as far as the live trade in cattle is concerned, the embargo requirement that our cattle should be slaughtered at the port of landing and within ten days, is and always will be, a detriment to our live cattle trade. Whether the cattle arrive in perfect condition or not, the fact that they require to be slaughtered at the port of entry limits them to those particular local markets. If the animal arrives in Liverpool, it must be slaughtered there, it cannot be sent to Leeds, Birmingham, Bradford or any other market. That limits our market to the ports of landing. In the second place it has to be slaughtered within ten days. That limits our owners to ten days' choice as to the date of slaughter and as to the conditions of the market. In addition to that frequently our animals arrive in England after stormy voyages in a condition in which they are not fit for immediate slaughter and they ought to be either put at pasture or fed for more than eight days before they are fit for slaughter if they are to obtain the best price. Under these circumstances and from these points I think that whether we develop a dead meat trade or a live meat trade, the embargo is a detriment to our trade and a financial injury to the people of Canada.

Certain statements have been made in regard to the course of this unfortunate affair. I must compliment the hon. gentleman from Montreal (Mr. Bickerdike) who has given us a very concise and succinct history of the occurrences. My hon. friend from Bruce (Mr. P. H. McKenzie) who proposed this motion also gave us a good deal of valuable information. I am going to confine myself therefore entirely to the present condition of affairs and say a few words simply on these points. In the first place I regret to say that one imperial Minister of Agriculture after another, first the Right Hon. Mr. Hanbury, second the Right Hon. Lord Onslow, and third the Right Hon. Aylwin Fellowes, have each and all of them declared most emphatically that as long as they and their government remain in power the embargo shall not be removed. Far be it from me for a moment to enter into political controversy or political struggles in England. I think we in Canada would resent it if the British people were to express opinions upon our political questions here for the purpose of influencing our elections. I therefore feel that I must speak with the greatest reserve and care in this matter because at the present time, with the political struggles that are going on in England, this question is undoubtedly a bone of contention in the political arena. What I say therefore I wish to have it fairly understood is not being said in any party way or sense as regards the political struggle in England to-day. It applies not to the present government, not to any future government but to the action of the people there. I am not going to attribute motives as to the reasons why the embargo is re-

tained. We have the statement of the official head of the Department of Agriculture in England that Canadian cattle are not diseased, that it is not at the present time for the purpose of protecting English herds from the introduction of disease existing in Canada that the embargo is maintained. Mr. Aylwin Fellowes, I think it was in a late discussion of this in England said that he might bring it all down to the one word 'risk,' that they maintained the embargo because of possible risk if the embargo was removed, that disease might be introduced into Great Britain from Canada. For the purpose of discussing this word 'risk' and the possibilities attending its meaning I have to say a word or two in regard to Canadian animals. The hon. member for East Grey (Mr. Sproule) has rightly said that when the embargo was put on in 1892 the Canadian Department of Agricultural contended and I think proved, that there was no disease in Canada, that it was a mistake on the part of the British veterinarians which caused the imposition of the British embargo. I am not going to set the opinion of one veterinarian against the opinion of another; but it is well understood, and no one knows it better than the English people, that pleuro-pneumonia is one of the most insidious and contagious diseases known in the animal world. On no occasion in any part of the world where pleuro-pneumonia has been found, have the cases been isolated. Outbreaks have occurred, and they have only been stamped out by the expenditure of vast sums of money and infinite pains and labour on the part of the authorities, and through a long period of fighting with the disease. It is an undoubted fact, which no one in England pretends to deny, that while at that time it was said that animals coming from a certain portion of the province of Manitoba were diseased, no disease could be found by the most strenuous efforts of our veterinarians; and if the disease occurred in Canada at that time, a most extraordinary and inconceivable condition of affairs has followed, in that the disease has disappeared of itself, without effort on the part of our veterinarians, without the expenditure of a single dollar on the part of the Canadian government to stamp it out, and without any spread of the disease at all. This condition of affairs is absolutely inconceivable; for the English veterinarians who maintain the embargo would be the first to say that wherever pleuro-pneumonia has existed it has cost vast sums of money and immense labour to stamp it out. This is an absolute proof that there was no pleuro-pneumonia in Canada at that time. Since then nearly a million and a half of animals have been exported from Canada to Great Britain, every one of which has been slaughtered in the English lairages under the inspection of the English veterinarians; and among all these animals they have not been able to find a single one showing the slightest trace of pleuro-pneumonia when slaughtered. If at that time pleuro-pneumonia existed in Canada, it is inconceivable that no animals since exported from Canada have been found to be affected by the disease, in spite of the utmost researches carried on by the English veterinarians and inspectors with the express intention and desire of justifying the embargo. In addition to this, we maintain a constant inspection of the animals in this country. We have a system of inspection throughout Canada which I may say, without boasting, is effective and complete. We have never had a single case of pleuro-pneumonia reported in Canada. Once in a while some one reports that he fears that it may exist. Immediately the Minister of Agriculture, whether myself or my predecessor, has always insisted on having a strict and rigid investigation made; but in every instance that investigation has proved that the disease was not pleuro-pneumonia, and pleuro-pneumonia could not be found. In addition to this, we have the fact that in 1897 the United States government, knowing thoroughly our conditions, and having had an experience some years before of an outbreak of pleuro-pneumonia in their own country, which it had cost them hundreds of thousands of dollars to stamp out, were ready and willing to enter into an arrangement with the Canadian government by which cattle from Canada could pass into the United States without let or hindrance. The United States have had bitter experience with pleuro-pneumonia. Fifteen or sixteen years ago they had severe and costly outbreaks of this disease in the eastern states; and when I proposed to them that we should practically abolish the quarantine between the two countries, the first thought that came to their minds was, can we dare to do it and keep ourselves free from pleuro-pneumonia ? Dr. Salmon, the head of the veterinary service of the United States, and the Minister of Agriculture, Secretary Morton, discussed the matter with me, and they made up their minds without any hesitation or doubt that it would be perfectly safe to allow Canadian cattle to cross the border into the United States without even an examination or inspection. This I consider to be a pretty conclusive proof, from our great rival in the English market, that they at all events were practically satisfied that the flocks and herds of Canada were absolutely free from this or any other serious contagious disease. Since that time the United States authorities have kept a constant watch upon the veterinary work of my department; we are in constant touch and communication with them. It is one of the features of our agreement that we should report to them immediately any cases of contagious disease in this country, and that they should report to us any cases in the United States. This arrangement has been going on for

eight years, and in that time not one single question has arisen on the part of the people of the United States as to the existence of pleuro-pneumonia in Canada, or any trace of it. I think this is proof conclusive that the Canadian herds are absolutely free of this dread disease, and I venture to think that what the hon. member from Montreal (Mr. Bickerdike) has put before the House has proved conclusively that we have never in a single instance had this dread disease in Canada. Under these circumstances I contend that the idea expressed by the president of the Board of Agriculture in England, that there is even a risk to their herds in allowing Canadian cattle to be imported freely into the country, is not tenable. I venture to say one or two words more. It is a difficult question to deal with, no doubt. I appreciate that there are various interests in England which are complicating; I understand that the political situation there may need certain considerations. I venture to think, however, that, whatever side of politics the people of England may take, whatever their individual or class or local interests may be, there is a strong feeling there, as there is in the other parts of the empire, that the empire is one, and that all its parts ought to be closely and intimately bound together in the bonds of mutual respect and good feeling. I have been quoted as having said that the maintenance of this embargo is an unfriendly act on the part of the mother country towards Canada. I do not hesitate, Sir, here on the floor of parliament to repeat that assertion. I consider that the maintenance of the embargo by the mother country against Canadian cattle is an unfriendly act towards Canada, and an act showing a lack of consideration towards those bonds of imperial duty which ought to be just as dear to the mother country as they are to Canada.

I venture to think that if we are to be drawn to the mother country as we wish to draw the mother country towards us, every consideration ought to be shown by the latter not only to our commercial interests, but to our sentimental interests and feelings as well; and I believe that there is to-day no one thing which the motherland could do that would appeal more strongly to the sentiments and opinions of the people of Canada than to remove the stigma which to-day rests upon our cattle in consequence of the legislation of the motherland; and if the parliament and people of Great Britain wish to give an evidence of their feeling towards us, such as we have given on many occasions of our feeling towards them, they could do that in the best way by removing the legislation which imposes this restriction on our cattle going into their markets. There is another point I would like to say a word about. We hear a good deal—perhaps more in the motherland than anywhere else—of the food supply of the empire. That is generally held to be the wheat supply, but meat is just as important; and I think it is a short-sighted policy—a policy which does not show full consideration of imperial interests—which puts a restriction on the supply of meat to the motherland from a source at all times within the empire. We have to-day a large meat supply in this country—a meat supply which could be increased indefinitely if this embargo were removed, and which would at all times be available as being wholly within the empire and therefore not subject to any of the vicissitudes of foreign ocean shipping. I think it is in the interest of the solidarity of the empire and of the British food supply of the empire that arrangement should be made among its various parts to facilitate trade among them in food products and put them on a better footing as regards one another than foreign countries are as regards any part of the empire. Here is an opportunity of doing this in accordance with the demand of a very large number—I do not know exactly how large—of the electors of Great Britain; and I feel that in the expression of opinion on the part of the Canadian parliament, such as this resolution embodies, we have justice, equity and right on our side as well as a policy which is in the best interests of the empire at large. In view of the present circumstances, it is but proper and right that our parliament should so express itself by passing this resolution.

Resolution agreed to.

CONFERENCES BETWEEN SENATE AND HOUSE OF COMMONS.

Mr. SPEAKER. I have received the following message from the Senate:

Wednesday, 5th July, 1905.

Resolved, That a message be sent to the House of Commons by one of the Masters in Chancery, to inform that House that the Senate has come to the following resolution, and to request that the House of Commons may be pleased to agree thereto:

That in cases in which the House of Commons disagree to any amendments made by the Senate, or insist upon any amendments to which the Senate has disagreed, the Senate is willing to receive the reasons of the House of Commons for their disagreement or insisting (as the case may be), by message, without a conference, unless at any time the Commons should desire to communicate the same at a conference.

That any conference between the Houses may be a free conference.

Attest. SAML. E. St. O. CHAPLEAU,
Clerk of the Senate.

MONTREAL HARBOUR COMMISSIONERS.

Mr. PREFONTAINE moved for leave to introduce Bill (No. 192) respecting the power of the Harbour Commissioners of Montreal. He said: The Bill is for the purpose of authorizing the Harbour Commissioners to expend the sum of $6,000 out of the revenue

in order to help in the erection of a monument to the late Hon. John Young.

Mr. FOSTER. Who is to erect it ?

Mr. PREFONTAINE. The citizens of Montreal. The Harbour Commisisoners are authorized to help to the extent of $6,000.

Mr. FOSTER. Why ?

Mr. PREFONTAINE. The citizens of Montreal consider that the late Hon. John Young was really the founder of the harbour. It was he who, with the late Sir Hugh Allan, initiated the works which have been continued for the last fifty years and have contributed to make Montreal the national port of Canada.

Motion agreed to, and Bill read the first time.

HALF BREED SCRIP RETURNS.

Mr. FOSTER. Before the Orders of the Day are called, I would like to know if we are going to have those papers with reference to the scrip which were promised ? We have not had anything for weeks. Although we all want to get away, I must insist on my right of having those papers before we go. I am just as anxious to get away as any one, and I hope the First Minister will call the attention of his colleague to this matter and have the papers brought down. They are not so voluminous that they could not have been prepared and laid on the table by this time. They need to be here so that some consideration be given them before the end of the session.

Sir WILFRID LAURIER. I shall speak to my colleague and try to have them on Monday, and will also see about the reports called for by the hon. member for East Grey from the Department of Public Works.

Mr. SPROULE. The Department of Public Works has had ample opportunity to have them down before this.

PENSIONS TO INTERCOLONIAL RAILWAY EMPLOYEES.

Mr. MACDONALD. Has the hon. the Minister of Finance considered the advisability of introducing a measure to give old age pensions to the employees on the Intercolonial Railway ? On the 15th of March I asked if the government proposed introducing a Bill respecting old age pensions, which the Minister of Railways and Canals promised last year. The hon. the Minister of Finance replied that the subject was under consideration.

Mr. FIELDING. If my hon. friend will renew the question when the Minister of Railways is in his seat, I would rather he would answer.

SEAMEN'S ACT AMENDMENT.

House in committee on Bill (No. 147) to amend the Seamen's Act.—Mr. Préfontaine.

Mr. FOSTER. I do not see how we can go on with this Bill unless the Minister of Justice is here.

Mr. PREFONTAINE. I think my hon. friend will find that that is not necessary. I have here the Bill as re-cast by the Minister of Justice. I think that the amendments made will meet with the wish of hon. members on both sides of the House. In the Bill as introduced, section 1 was as follows :

1. Sections 7, 16 and 18 of the Seamen's Act, chapter 74 of the Revised Statutes, shall not apply to shipping masters or deputy shipping masters in British Columbia.

The great objection to this clause was that under its provisions inn-keepers, hotel-keepers and boarding-house-keepers could be appointed shipping masters and deputy shipping masters. I propose to strike out the figure '7' in this section, which will leave still applicable to British Columbia the law which provides that this class of people shall not be appointed shipping masters or deputy shipping masters.

Section 2 of the Bill as introduced provides as follows :

2. In that province, every shipping master may appoint any person as deputy shipping master, and every shipping master and deputy shipping master may, until fees therefor are established by the Governor in Council, receive any remuneration agreed upon for hiring or supplying any seamen for any ship.

That is changed to the following :

In the province of British Columbia every shipping master may with the approval of the Minister of Marine and Fisheries, appoint not more than two deputy shipping masters to assist masters of vessels in the securing of crews.

So the objectionable words under which the shipping masters might appoint any person as a deputy is struck out. Not only does the law apply prohibiting the appointment of hotel-keepers, inn-keepers and boarding-house-keepers, but he is restricted to the appointment of two, and these with the approval of the Minister of Marine and Fisheries.

Section 3, as it is proposed to be amended, provides :

Every shipping master and deputy shipping master may, until otherwise provided by the Governor in Council, take and receive from the master of any vessel any remuneration agreed upon between them for the hiring or supplying of seamen for any such vessel, not exceeding ten dollars for any seaman hired or supplied.

And section 3 of the Bill as introduced entirely disappears. The following is added as section 4 :

4. Notwithstanding the next preceding subsection the sum which the owner or master of a ship engaging or discharging a seaman in a shipping office in British Columbia may deduct from the seaman's wages under section 17 of the

Seamen's Act, shall not exceed what it would be if section 16 thereof were in force in that province.

So that objections have been fully met by the Department of Justice. It is needless for me to go over the ground we have already gone when the question was under discussion on former occasions. I think that the Bill as proposed to be amended will be acceptable to the House.

Mr. STOCKTON. As I understand, the classes of people named cannot be appointed as shipping masters. But, if I caught correctly what the minister said, they can be appointed deputy shipping masters with the consent of the Minister of Marine.

Mr. PREFONTAINE. No; the appointment of such people is illegal, and the sanction of the minister cannot make it legal. I will send the hon. gentleman (Mr. Stockton) the copy of the amendments that I have, and he will see the effect of them.

Mr. STOCKTON. Having read the amendments, I see that they meet the points.

Mr. R. L. BORDEN. The minister's position is that the prohibition against the appointment against this class of people is still in force?

Mr. PREFONTAINE. Yes.

Mr. R. L. BORDEN. I think that the amendments, as drafted, meet the objections that I had to the Bill.

Bill, as amended, reported, and read the third time and passed.

WIRELESS TELEGRAPHY.

Bill (No. 186) to provide for the regulation of wireless telegraphy in Canada—Mr. Préfontaine—was read the second time, and House went into committee thereon.

Hon. RAYMOND PREFONTAINE. (Minister of Marine and Fisheries). This Bill is almost an exact copy of a Bill passed by the British parliament last year for the regulation of wireless telegraphy in Great Britain. It was forwarded to the Department of Marine and Fisheries in the month of August last with the suggestion that a similar law should be passed for the Dominion of Canada. As it was towards the end of the session, the matter was postponed until this year. The House will remember that when the Fessenden Wireless Telegraphy Company asked for a charter and their Bill was before the Railway Committee, it was redrafted almost entirely on the lines of the law passed in England in 1904, so as to protect the public interest. The object of this Bill therefore is to give the government control of wireless telegraphy in such a manner as to ensure the greatest efficiency, and to obtain the greatest benefit to the public interest. Wireless stations, whether on ocean or on shore, must be licensed by the Minister of Marine and Fisheries, who shall prescribe the conditions under which they may be worked. The Bill makes provision for instrumental installation. The importance of the Bill will be manifest to every one. At the present time the government is installing wireless stations on the Gulf of the St. Lawrence as aids to navigation. It is therefore important that these stations, which are under the control of and maintained by the government, should be protected, and that no other stations should be installed near enough to them to interfere with the public service. In the contract between the government and the Marconi Wireless Telegraph Company, they are granted no exclusive privileges, so there can be no monopoly. But it stands to reason that if other stations were to be installed near the Marconi public stations which are maintained by the government, our stations would probably be rendered useless or ineffective. For that reason the Railway Committee unanimously inserted in the Fessenden Bill most of the clauses which are contained in this Bill.

Mr. BLAIN. Have the government any vessels fitted up with wireless telegraphy at the present time?

Mr. PREFONTAINE. Yes, we have four vessels equipped with the Marconi apparatus, the 'Minto,' the 'Stanley,' the 'Canada,' which is going to meet the 'Virginian' near North Sydney in a few days, and the 'Montcalm.'

Mr. BLAIN. What has been the experience of the government so far?

Mr. PREFONTAINE. Most satisfactory. The last station that was installed by the Marconi Company was at Sable Island, and I received the first wireless despatch that was sent by this company from that noted spot on the ocean. It is called, as everybody knows, the cemetery of the Atlantic ocean. It will be no longer a cemetery, because the people on that island will henceforth be in communication with the rest of the world, and have already been so for ten days.

Mr. R. L. BORDEN. In view of the fact that the Bill was withdrawn last year because it was introduced at so late a period in the session, we must congratulate the minister on his promptness this year. Five months and eighteen days after the session commenced he has introduced his Bill, and we are now within three days of six months; so there can be no complaint this year on that score. As I understand the Bill, it is merely to provide that licenses shall be issued, that no person shall establish any wireless telegraphic station either on ocean or on shore unless he has a government license.

Mr. PREFONTAINE. That is all.

Bill reported, read the third time and passed.

LIEUTENANT GOVERNORS OF SASKATCHEWAN AND ALBERTA.

House went into committee to consider the following proposed resolution :

Resolved, That section 2 of chapter 4 of the Revised Statutes, intituled : An Act respecting the salaries of cartain public functionaries, and other annual charges on the Consolidated Revenue, be amended by adding at the end thereof the following words and figures :

The Lieutenant Governor of Saskatchewan, $9,000.

The Lieutenant Governor of Alberta, $9,000.

Mr. FIELDING. This resolution is to make provision for the payment of the salaries of the Lieutenant Governors of the two new provinces. It is proposed to fix their salaries at $9,000, the same as is paid to the Lieutenant Governor of Manitoba, and other provinces.

Resolution reported, read a first and second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 193) to amend the Revised Statute respecting the salaries of certain public functionaries and other annual charges on the consolidated revenue.

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

Mr. HENDERSON. Does the minister know who is to receive this $9,000 ?

Mr. FIELDING. No, we thought it would be wise first to get the consent of parliament to pay the money before we committed ourselves.

Mr. SPROULE. Is that the same as the Lieutenant Governor of Manitoba gets ?

Mr. FIELDING. Yes.

Bill reported, read the third time and passed.

SUPPLY—COMPLAINT OF D. G. SEYMOUR, OXBOW, ASSA.

Mr. FIELDING moved that the House go into Committee of Supply.

Mr. R. L. BORDEN. Before you leave the chair, Mr. Speaker, may I bring to the attention of the hon. Minister of the Interior (Mr. Oliver) a complaint I have received from a settler in the west who says that he cannot find out the reason why he is not able to procure a homestead, Northwest sections 22 to 25, 1 west 2nd meridian? He seems to have complied, according to this statement, with all the requirements of the law and he attributes his non-success to the political partisanship of some person or persons unnamed. He is very earnest about it and I thought I would like to bring the matter to the attention of the Minister of the Interior, because it is not desirable that these settlers should have any ground for complaint of this character. This one may seem trifling at first blush to bring to the attention of the House, but I do not regard it as too trifling to bring to the attention of the hon. Minister of the Interior and to ask him for some explanation later on after he has had an opportunity of looking into the matter.

Sir WILFRID LAURIER. Might I ask the name?

Mr. R. L. BORDEN. The name of the man is D. G. Seymour, Oxbow, Assa.

Motion agreed to, and House went into committee of Supply.

Civil government—Department of Trade and Commerce—contingencies—additional amount required, $1,200.

Mr. R. L. BORDEN. Would the hon. Minister of Finance state why this additional amount is required ?

Mr. FIELDING. I cannot speak as to the details, but I may say that I have been urging my colleagues to have the supplementary estimates contain a sufficient sum of money to close up the accounts for the year rather than to carry balances forward into the next year. In conformity with my request several have sent in additional appropriations. In this case it happens to be a small amount of contingencies.

Ocean and river service—maintenance and repairs to government steamers and ice-breakers, $60,000.

Mr. URIAH WILSON. We want some explanation about that.

Mr. PREFONTAINE. This item is to cover the repairs to two steam ice breakers under the control of the Department of Marine and Fisheries. The 'Champlain' was one of the ice-breakers secured by the department last fall and put in commission in the month of November. She maintained the ferry service between Murray Bay and River Ouelle. Two accidents happened to her. She first collided with another steamer, but fortunately was not wrecked and she continued the service during the winter. Then she was damaged in reaching the wharf at Rivière Ouelle due to the mismanagement of the mate, who has since been dismissed. In May or June this steamer was put in the dry-dock and thoroughly overhauled. The damages were ascertained and the repairs which are now finished cost $30,000. The other ice-breaker the 'Montcalm' was severely injured in the bow while breaking the ice at Cap Rouge, she is now being repaired and made stronger than when she came off the ways after being built. She will be in good condition to cope with the ice next winter.

Mr. BLAIN. Where was she repaired ?

Mr. PREFONTAINE. In the dry dock at Quebec, but the work was done by Messrs. Davis & Son, under the supervision

of the officers of the department. The extent of repairs of this kind is hard to ascertain before the vessel is put into the dry-dock.

Mr. R. L. BORDEN. The ice has not required any repairs, only the ice-breakers.

Mr. PREFONTAINE. The ice required a great deal of repairs, because it was all smashed up.

Mr. R. L. BORDEN. I am glad to hear that. Speaking seriously, would the minister tell us briefly of what particular use this ice-breaking has been? I daresay it has been of use; I am asking for information.

Mr. PREFONTAINE. I have not the particulars here, but the ice-breaker has shown that we can maintain a service between Murray Bay and Rivière Ouelle, in connection with the Intercolonial Railway. Everybody knows that the north shore of the St. Lawrence has always been deprived of communication during winter except with horses and sleighs starting from Quebec or some other point. For years and years an agitation was maintained in favour of making experiments to ascertain whether it would be possible to maintain a ferry during the winter between Rivière Ouelle and Murray Bay. Sums varying from $10,000 to $15,000 were voted every year as subsidies to different navigation companies, but they have always proved to be failures, and two years ago it was found impossible to get any responsible navigation company to tender for that service. It was decided by parliament during last year that a sum should be appropriated for the construction of a boat to make the experiment as soon as possible. It has proven very satisfactory, especially if you take into consideration the fact that the winter last year in Quebec and the maritime provinces was the most severe in the memory of man; so that if winter navigation in the Lower St. Lawrence has been maintained during the last winter, it is certain that the problem is solved, a matter of great importance to Canada.

Lighthouse and coast service—maintenance and repairs of lighthouses and light-ships, $100,000.

Mr. PREFONTAINE. This amount certainly needs some explanation. The Department of Marine and Fisheries has become a very important one, owing to the handing over to that department of different branches of work really belonging to it, but which had previously been controlled by other departments. Then the development which has taken place in the last ten years in navigation, the increase in the size of steamers and the consequent necessity of better protecting navigation, has necessitated a very large expenditure. I might say that for years—and I can cite many examples—the matter has been, to a certain extent, left aside. I might mention, for instance, that there exist to-day, although we have spent millions, a number of obsolete lighthouses which have not been repaired for fifty years, and are therefore not at all up-to-date.

Mr. URIAH WILSON. Where are those lighthouses of which you are now speaking?

Mr. PREFONTAINE. In the Lower St. Lawrence, along the ship channel. I can cite one in particular which has been reported to me and which has not been provided for, that is a lighthouse in the county of Portneuf, at Portneuf itself. Many cases have presented themselves in that way. An estimate was made of repairs to a certain number of lighthouses, and the amount in each case would be $300 or $400, but when we began the repairs on these by day labour we would find that we would have to spend $1,000 or $1,500. Many cases of this kind have presented themselves, and for some years the habit has been to overlap on the expenditure of the following year and to leave a certain amount of standing accounts. Last year when I brought my estimates before the House and explained this question, I really never thought that the deficit, that is the amount required to be taken out of the estimates of the following year, would be so large; and this year I gave instructions to my officials to make a thorough investigation of the different claims that existed for necessary work done in the different sections of the country in order to get a full statement of what was due and what was necessary to be paid. We discovered that it would need over $200,000 to cover the over-expenditure. In the first supplementary estimates that were brought before the House a sum of $75,000 was provided for. At that time I must say that we had not ascertained that $200,000 was due. Since that time we have ascertained that to be about the amount due, so in providing $100,000 to pay off these outstanding accounts, we are still leaving a balance of $25,000 that we have been able to pay out of other funds that were available for the same purpose. So this $100,000 will cover all outstanding liabilities, and I hope I will not be obliged next session, if I have still the honour to occupy this position, to make a demand of this kind, because I must admit it is not good business, and should not have been done. I am not personally responsible for it, because it was the system continued from year to year, and this will really cover all our expenditure.

Mr. R. L. BORDEN. I would like to inquire about a matter that is perhaps not very closely connected with this, which has been brought to my attention by a correspondent. It is on behalf of some pilots of Sydney harbour. It seems that in connection with these pilots there has been for a long term of years a reserve fund collected out of the pilotage received, which has been kept for payment to the widows and orphans of deceased pilots, and I think for payments

to pilots who were superannuated, who had ceased to be engaged in active work and had nothing to support them. A very considerable amount, as I understand, was accumulated, and in addition to that the pilots themselves started what was intended to be a mutual insurance company. Twenty-nine or thirty of these pilots are said to have paid in $50 each for several years. This was deposited with the treasurer of the Pilotage Commission. It is said that beneficiaries who are entitled to receive moneys out of this fund have not been able to receive it. I would like to ask the minister whether or not he has any information on the subject? Of course, it is not a fund directly under the control of the government. It is, however, as I understand, directly under the control of the pilot commissioners, and they are under the control of the government. It is quite possible, therefore, for the minister to obtain information on the subject and I bring the matter to his attention, because the complaint on behalf of the pilots has been made to me as a member of parliament, and I think it is a matter on which the House should be advised.

Mr. PREFONTAINE. My attention was directed to this matter a few days ago, and I have given instructions to prepare a report upon it. I have sent an officer to Halifax to hold an investigation into the wreck, and he is instructed specially to look into this matter and to report on the facts. I expect to receive the report on Tuesday or Wednesday next, when I will at once communicate the information to the hon. gentleman and the House.

Commercial agencies—additional amount required, $3,000.

Mr. URIAH WILSON. I would like to have the names of these agencies, where they are located, what the salaries of the agents are, what expenses are allowed, and what the special advantages of these agencies are.

Mr. FIELDING. I do not know that this vote is for any special officer. It is for the service generally. I think the information asked for by my hon. friend was given by the Prime Minister a few days ago. If it was not given fully, I will procure it.

Mr. R. L. BORDEN. What do these commercial agents really do, and what advantage does the country receive from their services? What is accomplished? They perform, I suppose, such functions as are discharged by consuls, gathering information and transmitting it to the home government.

Mr. FIELDING. I am afraid that I have not that personal familiarity with this service that would enable me to answer as fully as the Minister of Trade and Commerce might desire. I imagine that a service of this kind is something like an advertisement in a newspaper: You are never quite sure how much of the trade you get is due to the advertisement, yet advertising is a good thing. These agents are sent to points where there is some prospect of developing Canadian trade. Necessarily at first their work is slow, and they meet with difficulties. They send their reports from time to time to the department, which are published and distributed. If my hon. friend asks me to give evidence that they do increase our trade, perhaps that is not easy to do. They are practically advertising agents for Canada, and in some cases I have no doubt their efforts considerably increase our trade, though at first they may not show much result. For example, we had an agent in Australia for many years, and while in the beginning his work was not very successful, it has ultimately resulted in opening up considerable trade. That is the theory, and I think experience will show that the work is worth continuing.

Mr. URIAH WILSON. Is Mr. Larke the agent in Australia?

Mr. FIELDING. There are two in Australia—Mr. Larke at Melbourne and Mr. Ross at Sydney, or vice versa.

Mr. R. L. BORDEN. I took occasion a short time ago to make myself acquainted with the information which must be transmitted by the consuls of the German empire to the home authorities from the various places in the world where they are stationed, and it is really surprising how thoroughly and systematically the information is collected and tabulated. These commercial agencies throughout the world ought to be of some use to us. It is possible that they are of more use than I realize. If the system is a good one, it will possibly have to be extended. To that extent Canada will probably have her own consular service throughout the world in respect to interests purely Canadian—our trade interests, for example. If we propose to do anything of that kind, it is proper that the agents should act on well-defined lines and in a systematic and thorough way, and should gather information of a practical and useful character in all parts of the world. It may be that all this is realized. I do not know whether it is or not. If it is not, it seems to me that there is a very good opportunity for work in the Department of Trade and Commerce in carrying out some such system as I have referred to. The details of what is accomplished by the consuls of Germany and the United States are easily obtainable, and I am almost certain that nothing like that work or equal to it is attempted by these officers, who are practically consular agents for Canada in foreign countries.

Mr. FIELDING. I have no doubt that these officers have much to learn, and that

every day that passes will give them more experience and better results. In the effort to do a good deal in the way of reports, we find consular officers frequently introducing curious things into their reports. For instance, I have seen a consular report from Winnipeg giving particulars of something that occurred in Halifax, and I have seen one from the maritime provinces giving information of what occurred in western Canada. Therefore I am not disposed to complain of our agents if they do not do much in the way of reports. Their work is slow and uphill at first, but if they can show that they are bringing the products of Canada, to the notice of consumers in their respective countries, that is all we can hope for at first. It is a service which I think we shall have to extend. The imperial consular service is not a commercial service at all. Even if it were, it is not particularly devoted to Canada. I am inclined to think that, slowly and after experience, it will be a wise policy on the part of Canada to distribute these commercial agents over a wider area, even though we do not get immediate results. Like the advertising of the country, though you may not get results immediately, they shall come in due course.

Mr. BLAIN. The other day I read a letter from a friend of mine, residing in Japan, pointing out that our agent there was advertising in some of the local newspapers articles for which there was no sale in that country at all. Boot blacking was one of the articles advertised. This gentleman writes that there could be no possible sale in Japan for boot blacking, and he gives other items of articles advertised for which there is equally no market in that country. Yet there was no general advertisement of the kind of goods Canadians would find a market for in Japan. Those in charge of the department should see that the kind of goods likely to find a market in Japan should be advertised in the local papers of that country, and that money is not spent advertising goods for which there is no market.

Mr. FIELDING. I do not imagine that the agent would advertise in any one general advertisement all the products of Canada, but from time to time he calls attention to things for which a market might be had, and it is better he should err on the side of advertising too many than too few. Mr. Maclean, whom many gentlemen in this House know, is a gentleman of much intelligence and well informed in Canadian affairs ; and I am quite sure that if he advertised blacking, he also did not fail to advertise the more substantial products of Canada to which we attach greater importance. I do not know whether the reason the hon. gentleman's correspondent has for saying there is no market for blacking in Japan is that we do not make blacking or that the Japanese do not want it.

Mr. SPROULE. On their wooden shoes it would be very valuable.

At six o'clock, House took recess.

After Recess.

The House resumed at Eight o'clock.

VANCOUVER, VICTORIA AND EASTERN RAILWAY AND NAVIGATION COMPANY.

House resumed consideration of the motion made by Mr. Ross (Yale-Cariboo) for the third reading of Bill (No. 139) An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company, and the amendment thereto by Mr. Foster.

Mr. DAVID HENDERSON (Halton). Before this Bill is finally disposed of, I desire to make a further brief statement. I do not propose to discuss further the merits and demerits of this Bill. I think that in the Railway Committee and in the Committee of the Whole that feature of the matter has been thoroughly considered. The stand which I took in the Railway Committee I still adhere to. And I think that those of us who took that stand were thoroughly justified in so doing, not only as members of the House, but as representing the best interests of the people of British Columbia. It is true that hon. gentlemen from British Columbia have practically questioned the right of members from other provinces to interfere in the legislation pertaining to their province. But I may say here and now that I regard myself as a representative in the House in the interest of the people of British Columbia just as much as in the interest of the people of Ontario or any other province of the Dominion, and I contend further that I and others who spoke and voted as I did in the Railway Committee are more in line with the sentiment of the people of British Columbia than are the representatives of that province themselves. I made it a special study to ascertain the sentiments of the people of British Columbia on the subject of this road. I have done so by reading the published reports of board of trade meetings and other meetings, and by examining the newspapers published in the different cities and towns of that province. I find no newspaper advocating the diversion into the United States of that road—none, at any rate advocating the idea that the road should not be built wholly in the province of British Columbia. But I do find a very strong feeling that the road should be constructed in the Kootenay district to the coast on Canadian territory. And that is practically all that we have voted for. We have not opposed the construction of the Victoria, Vancouver and Eastern Railway. In the early meetings of the Railway Committee, the charter so far as it concerned the construction of that road into this Similkameen valley was pass-

ed by the committee practically with a unanimous vote, all parties being agreed that the road should be constructed, and constructed on Canadian territory. What we were pressing for, and what we were justified in pressing for was that the company controlling this enterprise should be bound to build the road from the Similkameen valley to the coast on Canadian soil. Not only did we ask that, but we asked that a guarantee be put into the charter which would insure this construction on Canadian soil. And that was the strong point in dispute in the committee. As we know the committee was very evenly divided on that question, as to whether or not this guarantee should be taken in the Bill. We remember that when the vote was taken it stood 60 for and 60 against the resolution. Practically the resolution was carried, because one gentleman went into the committee room who was not a member of the committee and polled his vote against the resolution—and that gentleman a minister of the Crown. Had he not voted against the resolution, the resolution would have stood 60 for and 59 against. So that, practically, the resolution demanding a guarantee that the road should be constructed from Vancouver to Princeton on Canadian soil was carried in that committee. Unfortunately it was not until some days afterwards that it was detected that one gentleman had voted who was not a member of the committee. His vote stands to-day recorded against that resolution on which he had no right to vote.

Mr. RILEY. Was his name on the list and was it called by the clerk ?

Mr. HENDERSON. Yes, Mr. Speaker, his name was on the list, and it was called by the clerk. But the hon. gentleman knew or ought to have known, that he was not a member of the committee. Now, I desire to make myself plain. The Minister of the Interior (Mr. Oliver), when formerly a member of this House, was appointed a member of the Railway Committee. We all know that he ceased to be a member of this House when he accepted the portfolio of the Minister of the Interior. And, of course, when he ceased to be a member of this House, he ceased to be a member of the Railway Committee. And, never having been appointed again a member of that committee, he was not qualified to vote at this meeting at the time when this vote was taken. I think I make that plain. Now, to establish the fact, which I have stated, that we who voted for that amendment demanding that a guarantee be obtained from the railway company that they would build from the coast into Princeton before they crossed the boundary line—demanding in fact a guarantee that the road from the coast to Princeton should be considered on Canadian soil—I propose to read some articles from British Columbia papers, which, to my mind, give the sentiments of the people of that province in a most straightforward and plain spoken way. Now, when I read these I think it will show that we who demand that that guarantee should be taken, were in harmony with the wishes of the people of British Columbia. I am going to read an article taken from the Vancouver 'Daily Province' of June 24, 1905.

Mr. D. ROSS. Will the hon. gentleman (Mr. Henderson) allow me to ask him a question ?

Mr. HENDERSON. Certainly.

Mr. D. ROSS. Is the hon. gentleman aware of the fact that the majority of the stock in the Vancouver Daily Province Publishing Company is owned by the Canadian Pacific Railway Company ?

Mr. HENDERSON. I am not aware of it ; I know nothing about it. And I do not think it makes any difference. I am going to read from a public journal, a journal which is read by the people of British Columbia and which, it seems to me, gives a most common-sense view of the full situation. The hon. gentleman (Mr. D. Ross) has asked me a question. I am not supposed to know who the stockholders of this newspaper are. I do not know what its political leanings are. I have not made any inquiries. It is not material to the case. The hon. gentleman (Mr. D. Ross) may know who are the shareholders, or it may be that what he says is only an insinuation as to the state of the case. Possibly he knows. If he does know he had better make a statement of the facts of the case. I fail to see any bearing it has on the question at issue and I think this House will come to the same conclusion when it listens to the article I now propose to read :

The Victoria, Vancouver and Eastern Vote.

It is a matter which will be found to be not without interest to speculate on the nature of the explanations which will be given by the British Columbia members in the House of Commons in regard to their votes in the Railway Committee on the Vancouver, Victoria and Eastern Bill, when they come back to their constituents. Every one of the seven gentlemen who have been sent to Ottawa to guard the interests of this province in matters of federal legislation has voted in favour of granting the Great Northern Railway all the privileges it demands in the construction of its road in the Similkameen, and every one of them has voted against securing from that company any guarantee that it will build direct to a British Columbia port and not make one of the cities on Puget Sound its western terminus. Mr. R. G. Macpherson, the member for Vancouver, and Mr. J. B. Kennedy, the member for Westminster, have adopted the same attitude and voted in identically the same way as Mr. Duncan Ross, of Yale-Cariboo, who had charge of the Bill, and Mr. W. A. Galliher, the member for Kootenay. They not only have not asked that the assurances which ought to be obtained and which are invariably required by business men to secure the interests which they represent in

large enterprises should in this instance be furnished for the protection of the British Columbia coast cities, but they have explicitly stated that they do not want them. They are willing to trust the business interests of Vancouver and New Westminster to the good will of President James J. Hill of the Great Northern Railway. In the meeting of the Railway Committee it was left to representatives of other provinces to seek protection for British Columbia, and the efforts which were thus made were defeated with the assistance of the men to whom we have entrusted our business.

Mr. David Henderson, the member for Halton——

Some hon. MEMBERS. Oh, oh.

Mr. HENDERSON. Yes.

An hon. MEMBER. Who is he ?

Mr. HENDERSON. I am glad I did it. I have no reason to go back on anything I did. I will begin the sentence again :

Mr. David Henderson, the member for Halton, assumed in the Railway Committee a position identical with that adopted by the 'Province' in regard to this road. No one, he said, was opposed to the Vancouver, Victoria and Eastern if its intentions were to build from Vancouver through the Similkameen valley. If the company was sincere, though in its professions before the committee, let it accept an amendment which would guarantee the building of the western section of the proposed line. He proposed accordingly, that the powers conferred by clause No. 3, should not be made use of until the Vancouver, Victoria and Eastern constructs its main line east from Vancouver, in Canadian territory, to Princeton, or some other point in the Similkameen east of the Hope Mountains, to be approved by the Governor in Council.

What could be fairer than this proposal ? It was only asking for a guarantee that the Great Northern would carry out the undertaking which Mr. Duncan Ross says it is the intention of the company to complete. If President Hill really proposes to establish his western terminal in British Columbia, why should he object to furnish a reasonable guarantee of his bona fides ? In any case, that the members for Vancouver and New Westminster declined to demand proper security from the Great Northern that it will build direct to a British Columbia port, makes them responsible to the people here should President Hill construct his line to Everett or Seattle. For it is owing to them that the Bill contains no provision which protects this province. The vote even of one of them would have secured the adoption of Mr. Henderson's amendment.

Mr. Duncan Ross assured the committee that construction would be under way from Cloverdale west toward the Hope Mountains in two months time. If so why should President Hill refuse to bind himself in a perfectly reasonable and business-like manner to do that which the country requires, and which he has no intention of evading ? Does not his refusal to be bound give reasonable cause for suspicion ?

Is this not the way in which Mr. Macpherson and Mr. Kennedy should have looked at the matter ? That they did not so look at it ; that they showed a willing and complete compliance with every wish of the promoters of the Bill and made no effort whatever to protect the people they represent would seem to indicate that their senses had been stilled by exceedingly powerful arguments on the part of those who held the brief for Mr. Hill's road. It is to be hoped that they will be able to give the people here some better reasons for their conduct than has been received by the 'Telegraph.' We fear however, they will not; and we fear even more that our predictions that President Hill will not build direct to a British Columbia port will be realized. If it is, Mr. Macpherson and Mr. Kennedy will be called to a very severe accounting by the people they have been elected to represent.

Now, where would we get stronger approval of the course we have pursued in regard to this Bill ?

Some hon. MEMBERS. Oh, oh.

Mr. HENDERSON. Hon. gentlemen laugh. They can laugh here but possibly when they go back to British Columbia the laugh may be on the other side. The people of British Columbia will have something to say to them on their return as I read in this article. This is from a British Columbia source and gives the sentiment of the people of British Columbia. Any man can understand who has any knowledge of British Columbia at all that every statement contained in that article is reasonable, fair and correct, and just the view that the people of British Columbia would be likely to take on a question of this kind. Now, an hon. gentleman says that certain stock in this paper is held by a railway company. Well, here is another newspaper. I wonder if its stock is held by another railway company.

Mr. D. ROSS. Is it the Nelson 'Tribune' ?

Mr. HENDERSON. No, I am sorry to say it is not. Are there any quotations from the Nelson 'Tribune'?

Mr. D. ROSS. Yes, there are.

Mr. HENDERSON. I believe I have some in my desk. I will read some if the hon. gentleman wants to get further sentiment, but I rather think that when I read an article from the Rossland 'Miner' the hon. gentlemen will not require anything from the Nelson 'Tribune.' This paper is published in the heart of the mining district where they know all about these divergences to the south and the effect they will have on the trade of British Columbia. Here is a newspaper representing the mining people.

Mr. D. ROSS. Is the hon. gentleman aware of the fact that the Rossland 'Miner' is owned by the War Eagle Company which recently entered into an amalgamation with the Canadian Pacific Railway ?

Mr. HENDERSON. Well, I may tell the hon. gentleman, if it is any advantage to him, that I am not aware whether the stock of this company is held by the War Eagle or any other eagle. I made no inquiry, when I saw this article which appears to be penned in the interest of British Columbia. If the hon. gentleman knows who are the holders of stock in this newspaper he ought to let

this House know it if it has any bearing on the question. I do not know what position the War Eagle takes on this question, whether it favours these divergences or not; I have made no inquiry. I have simply been endeavouring to ascertain public opinion in British Columbia. I read these articles without making any inquiry as to who was the holder of the stock or as to what the political predilection of these newspapers is. I do not know whether this is a Liberal or Conservative paper. I do not know, as I have made no inquiry, in regard to the other paper from which I have already quoted. I know nothing about it whether the War Eagle holds the stock of this paper or whether it is held by the hon. member from Yale-Cariboo (Mr. Ross). It may be that he is a stockholder in this paper as well; I do not say so; I know nothing about it, but I take this as an independent expression of public opinion in British Columbia and I will read you this article. It is headed

Firmness only Necessary.

This is from the edition of June 28.

Mr. TALBOT. Does not the hon. gentleman think it will be just as well to read a few of the salient points of that article without reading the whole of it?

Mr. HENDERSON. Possibly it would be, but I believe the hon. gentleman will be the better for hearing the whole article read. I think it would perhaps enable him to arrive at a better judgment on the whole question. The hon. gentleman has not been present in all these discussions, and I am reading these articles for his benefit and that of others. This is the article headed 'Firmness only Necessary.' I presume the hon. gentleman thinks that I am speaking against time.

Some hon. MEMBERS. Hear, hear.

Mr. HENDERSON. I am doing nothing of the kind. I expect this Bill will go through, and I am not going to prevent it. I am not going to prevent its third reading, but before it goes to a third reading I am going to place on record a justification for the action I have taken in this House, and of others who have taken the same stand.

Mr. GALLIHER. The hon. member opposed the preamble tooth and nail, he opposed the very first clause of the Bill tooth and nail, and voted against it from start to finish. Such opposition was not necessary to cure any defect that might have been in it when it first came before parliament.

Mr. HENDERSON. I will tell the hon. gentleman (Mr. Galliher) that I have already opposed the preamble of the Bill and the first clause of the Bill, and I was absolutely justified in doing so. The reasons I gave were strong and pertinent. I said it was impossible even for the local men on that committee to determine what that clause meant, and the judgment of the committee was that the Bill should be referred to a special committee in order to interpret that clause. The committee fully endorsed the action I took, and it does not lie in the mouth of the hon. gentleman to say that I was taking a course contrary to the best interests of the Vancouver, Victoria and Eastern Railway.

Mr. GALLIHER. So you are.

Mr. HENDERSON. Very well, the hon. member may have his opinion. The people of British Columbia do not value his opinion very highly, according to the information I have here. Perhaps when he goes back to British Columbia he may find a good many more that will tell him the same thing. But that is not to the point.

Firmness only Necessary.

The Great Northern Railway penetrates British Columbia by no less than seven different branch lines between the Rocky Mountains and the Pacific coast. These branch lines are built as feeders to the main Hill system. They give the people of southern British Columbia competitive transportation conditions to a limited extent, but whatever advantage is gained thereby is more than offset by the diversion of Canadian trade and wealth across the border. Nobody in this section wants to see a railway monopoly in the Kootenays and Yale, and there is no good reason why there should be a monopoly. The just requirements of the country demand the closest kind of railway competition compatible with sound national principles. If, however, the Dominion government is foolish enough to continue to pander to the greed and rapacity of Jim Hill, by permitting him to drain this country of more than half its rightful industrial prosperity simply to build up foreign cities and a foreign transportation company, it will be guilty of silly timidity and crass stupidity. Hill will never build an all-Canadian line from the interior of British Columbia to the Pacific sea-board if he is permitted to skim off the cream of our trade in the most favoured localities while allowing wide intervening stretches that are not so rich, both east and west, to shift as best they may for the lack of adequate transportation facilities. If the Ottawa government is loyal to the best interests of southern British Columbia it will insist upon Mr. Hill building an all-Canadian line to the coast, and refuse to permit him to dodge in and out as he has in the past. It is the duty of parliament to consider the needs of the many settlers on and around Anarchist Mountain, in the upland country north and west of Keremeos, and the rich but rugged sections in the Hope Mountains, as it is to provide railway advantages for the easily approached valley districts. Hill will never build through the more remote localities unless he is forced to, but when he is once made to understand that he must take the bad with the good in an all-Canadian route, he will soon drop into line and be thankful for any terms that would allow him an additional share of the great transportation business of southern British Columbia.

I would like to know where we could get a stronger endorsation of the course we have pursued with reference to this Bill

than is contained in that article of a newspaper published in the very heart and centre of the country that is to be served by this railway.

Mr. MACPHERSON. It does not touch Rossland.

Mr. HENDERSON. Nobody said it did. The hon. gentleman (Mr. Macpherson) is getting beside himself, he is getting very anxious. He realizes that on his return to Vancouver he may have a good many things to answer for, and he is going to be sure of one thing, that is, that he stated here that this road is not going to touch Rossland. Well, if the hon. gentleman had his way, it would not touch Vancouver either, he may rest assured of that. It would not cross Canadian territory from Princeton to Vancouver, or to Cloverdale, he is determined that it shall not do that; at any rate, he has determined that no guarantee shall be obtained by this parliament that the road shall be so constructed.

Mr. D. ROSS. Is the hon. gentleman aware of the fact that already thirty-six miles of this road has been built from the city of Vancouver, in Canadian territory, eastward towards Princeton?

Mr. HENDERSON. I am sufficiently familiar with railway construction in British Columbia to know that a railway has been constructed from Vancouver a distance of about thirty-six miles, I assume, just to a point where it connects with the Hill system. We are not disputing that at all, and if we can only get them to continue the road on Canadian territory through to Princeton, we are perfectly satisfied that they can build then to Keremeos or any other place in the United States they like. They can cross the boundary line. We do not pretend to prevent them crossing the boundary as long as they give us a Canadian line. We cannot prevent them crossing the boundary line, and have not sought to do so. But we want a guarantee from them that a Canadian road will be built. That is what we have been contending for, and I hope that even though that guarantee has not been obtained, the government will yet demand that it shall be so constructed. Now, I simply want to say, with reference to the amendment proposed by the hon. member for North Toronto (Mr. Foster), who is not in his place to-night, that after hearing the statement made by the right hon. the First Minister on Wednesday night, I am prepared to withdraw the amendment. This is what the right hon. the First Minster said:

> Put this road on Canadian territory by all means. But I repeat what I said a moment ago, that the powers which are vested in the Governor in Council are ample, and the Governor in Council will exercise those powers in order to keep it, if possible, on Canadian territory, and it is only allowed to be diverted when that is necessary in order to avoid great difficulties of construction.

After having received that assurance from the Prime Minister, that the road is to be constructed on Canadian territory on those conditions, and after having received that justification of the position that we have taken all along, I say that I am now authorized to withdraw the amendment proposed by the hon. member for North Toronto, and so far as I am concerned, the Bill will stand for its third reading.

Mr. STOCKTON. I will not detain the House more than two or three minutes. I look upon the question of transportation as one of the most important that this House can deal with, or will be called upon to deal with in future. The prosperity and progress of the country are wrapped up in this question of transportation. I would not have considered it necessary to have spoken at all, but, foolishly I think,—and I do not use the expression in any offensive sense,—some of the friends of this Bill have insinuated that those who opposed it in the Railway Committee were under the control of the Canadian Pacific Railway Company, that we were actuated in our conduct by the influence of the Canadian Pacific Railway Company. I wish to repudiate these insinuations. But let me say, Sir, that so far as I view the matter the Canadian Pacific Railway Company measures up to the ideal of Canadian nationalism more than any other railway company in Canada. I do not wish to say a single word against any other railway company in Canada; I do not wish to say a single word against the construction of railways upon Canadian soil for the benefit of the Canadian people and the development of Canadian trade, but it did appear when this measure came before the committee that there was an effort, an under-current—I do not use the word offensively in the least—to make it a feeder to an American system of railway to the detriment of the interests of the Canadian people and of the Canadian railway system, and when that was made to appear I felt that as a member of this House and as a Canadian citizen that it was my duty as a public man to state that now and in the future my policy is and shall be when railway companies come here asking for corporate entity for the purpose of constructing railways that we must feel sure that the construction and the operation of these railways will be to the interests of the Canadian people, and that they shall not be used as bleeders to Canadian enterprise for the benefit of a foreign country. I am not going to further discuss the question to-night, I understand it is important that this Bill should have its third reading to-night and I am not here for the purpose of obstruction at all. I simply wish to put myself straight as a member of this House with respect to the transportation question, and to state that every effort of this House and of the people of this country should be that when Canadian money is spent for the

purpose of incorporating railway companies to carry forward the business enterprises of this country that it should be in the interests of the people of Canada and not to the disadvantage of those people, for the benefit of those to the south of the boundary line. A statement was made here by the hon. member for Kootenay (Mr. Galliher) the other day that there are seven lines now tapping the international boundary which will take the trade of this district of country to the United States. We cannot, as the Prime Minister stated the other day, prevent that, but when a railway comes here for the purpose of having corporate existence given it by the authority of this legislature we can stipulate that it shall be so built and so constructed that it shall inure to the benefit of the Canadian people

Amendment (Mr. Foster), withdrawn.

Bill read the third time and passed.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 137) respecting certain patents of David Thomas Owen.—Mr. Stewart.

Bill (No. 183) respecting a certain patent of the Metal Volatilization Company.—Mr. McCool.

Bill (No. 185) for the relief of Isaac Pitblado.—Mr. Bole.

Bill (No. 178) respecting the Canada Central Railway Company.—Mr. Dyment.

Bill (No. 179) respecting the Brandon, Saskatchewan and Hudson Bay Railway Company.—Mr. Turriff.

THE CANADIAN AGENCY.

On the Order :

House in Committee on Bill (No. 77) respecting the Canadian Agency.—Mr. Bickerdike.

An hon. MEMBER. Stand.

Mr. HENDERSON. I promised the hon. member for St. Lawrence (Mr. Bickerdike) that I would move the third reading of this Bill. It is a very small matter, I understand—only to correct an error in the French edition.

Mr. BRODEUR. I think there is more than that. I think the charter itself has expired, and we cannot amend it.

Mr. HENDERSON. If the government takes that position, I do not desire to press the motion, but I wish to carry out my promise to the hon. member from Montreal.

Mr. BRODEUR. I drew the hon. member's attention to the fact that the Bill was illegal because it proposed to amend a charter which had expired a couple of years ago. I asked him for some explanation, and he told me that he would look into the matter.

Order allowed to stand.

SUPPLY.

House in Committee of Supply.

Department of Marine and Fisheries—to increase the salaries of A. W. Owen, chief clerk and accountant, $200 ; W. L. Magee, chief clerk, $200 ; C. Stanton, chief clerk, $200, notwithstanding anything in the Civil Service Act, $600.

Mr. URIAH WILSON. Have these gentlemen been getting the regular increase from year to year ? If not, why not, and why are they now given an increase of $200 ?

Mr. PREFONTAINE. Mr. Owen, the accountant, entered the department in 1881, he became assistant accountant in 1888, and in 1896 he was promoted to a chief clerkship and was appointed accountant. Owing to the expansion of the business of the department, his work has doubled in the last few years. His present salary is $2,250. He has been getting all the statutory increases of $50 a year, to which he is entitled according to law; but, although he is an old employee, he has not reached the salary that men of his ability and capacity usually receive. Mr. Magee entered the department in 1870. He has been in charge of the registration of shipping and steamboats, inspections of masters and mates and engineers. He was promoted to the rank of chief clerk in 1892 and has acted for the deputy minister in his absence. His present salary is $2,250. This is a similar case and really more favourable.

Mr. URIAH WILSON. He reached that position four years before the other gentleman ?

Mr. PREFONTAINE. Like Mr. Owen, he was stopped for a certain number of years when at the head of his class and not promoted. Mr. Stanton entered the service June 1st, 1879, and has therefore completed twenty-six years. He procured his chief clerkship on the 1st July, 1901. He has charge of the English correspondence and supervision of the work in connection with the registration of shipping and of all matters connected with applications for want of foreshore water lots. His present salary is $2,000.

To increase the salaries of the following technical officers : E. E. Prince, $200 ; W. J. Stewart, $350 ; B. H. Fraser, $200, and J. F. Fraser, $200, notwithstanding anything in the Civil Service Act, $950.

Mr. PREFONTAINE. Mr. Prince is commissioner and general inspector of fisheries. He was first appointed on the 1st of October, 1892. His present salary is $2,000. He never got any increase. Gentlemen of the committee are aware that men occupying a similar technical position in the provinces are paid as much as $3,000. The British Columbia commissioner of fisheries is paid $3,000. They have chosen a well qualified gentleman from the United States. In this

case the government chose in 1892 an expert from Scotland. Mr. Prince occupied a chair in the Scottish University when brought to Canada.

Mr. URIAH WILSON. I know Mr. Prince fairly well and think he is a good man. I do not see why you do not give him what you think he is worth. If you say he is worth a good deal more, why not give it to him ? He is at the head of his class and only getting $2,000.

Mr. PREFONTAINE. We thought by giving him $200 this year, we were doing fairly well. Probably we might have given him more.

Mr. URIAH WILSON. Has he had his regular increase ?

Mr. PREFONTAINE. No. Mr. Stewart is a graduate of the Kingston Military College. He is chief of the hydrographic survey. He entered the department in May, 1884. His present salary is $2,250. We are making the salary of this very capable officer $2,600. I may say that I have been up to the present unable to procure an officer capable of taking charge of a section of the hydrographic survey on the Pacific ocean. There are no qualified officers in Canada. There are qualified officers in England, but we could not get any one of them to take charge of a section at $2,200. Thus in giving Mr. Stewart $2,600, we are not extravagant. Mr. Fraser was a graduate of the Royal Military College and is assistant chief engineer. He joined the department in September 1889. His salary is $2,300. Mr. J. F. Fraser is engineer in charge of aids to navigation and commissioner of lights. These two gentlemen, having the same responsibility, will get the same increase.

Mr. FOSTER. I am quite willing we should get through these civil government estimates to-night, but before attempting, at this time of the session, to make any criticism at all of some $13,000,000 or $14,000,000 expenditure, there is something to be said upon the matter. I do not want to have to say that to-night. If the government can take the civil government items and smaller items, I will endeavour to help them to get these items through as rapidly as possible. It is nothing less than an outrage to put $13,000,000 of estimates upon us at this particular stage. We have had, as an opposition, to stand that sort of thing year in year out. There are only two things to do. We must either have these estimates when we can have a fair and reasonable chance of discussing their merits or demerits, which we would have in an earlier part of the session, or we must take them up at such a juncture as this when we can give them but the merest perfunctory examination. That is not fair to the opposition. We have been promised a remedy over and over again but instead this delay grows worse every year. You want to adjourn next week and to put through $14,000,000 of estimates between now and then together with all the rest of the legislation which comes before us. There is not an hour within the last three months when the Minister of Militia might not have brought down the re-arrangement of his militia business and his large estimates in that connection and given us a chance to discuss them when we were here in something like a normal condition. He has chosen not to do it. He has absented himself from the House and not taken much part in its business ; and now, within two or three days of the end of the session, he comes down with a proposition which makes an entire change in our militia system and involves an addition of $3,000,000 or more to our yearly expenditure. This and many more matters of legislation are simply held over and brought in the last two or three of the dog days of the session. Now, that is not fair ; it is not right. In the interest of good business, I think the government ought to make a volte face on this subject and make us an absolute promise to do this kind of thing no longer. However, we must have a discussion of this question. If the minister wants to take it up to-night all right. But if he prefers, we can take up less important items and make progress in them, taking up the other discussion on Monday.

Mr. FIELDING. I do not think there is anything 'outrageous' in these proceedings. I think we can challenge comparison with the record of my hon. friend (Mr. Foster) himself as to the manner of bringing down supplementary estimates. If it were of practical value to enter into such a discussion, I could furnish evidence that the hon. gentleman is not in a position to volunteer advice to us on that question. However, I have not the disposition, nor are the atmospheric conditions favourable, to a discussion of that nature. I accept the hon. gentleman's suggestion. He shall have ample opportunity to discuss these items. In the meantime, we may take up civil service and other small items, the other votes to which he referred standing over until the next sitting of the House.

Charges of management—Assistant Receiver General's office :

Toronto, further amount required, $500 ; Halifax, further amount required, $600 ; St. John, further amount required, $700 ; Charlottetown, further amount required, $500 ; Winnipeg, further amount required, $1,050 ; Victoria, further amount required, $700 ; additional amount for printing Dominion notes, $20,000 ; additional amount required in connection with the issue and redemption of Dominion notes, $5,000, $29,050.

Mr. FIELDING. These votes for assistant Receiver General's offices are taken, not with a view to the distribution necessary to be made, but to permit the department to revise the salary lists in the assistant

Receiver General's offices and to grant moderate increases to the members of the clerical staff. Thus I prefer not to indicate the officers to whom it is proposed to give the increases—though I have the names here—as I would like an opportunity for further revision. These clerks are doing very important and responsible work and they are not too well paid.

Mr. FOSTER. In each case there are a number of officers among whom these sums will be distributed ? About how many in each case ?

Mr. FIELDING. About three or four in each office. The increase will be about $100 to each. I feel sure that the hon. gentleman (Mr. Foster) would regard these increases in every case as justifiable.

Mr. FOSTER. No objection.

Mr. FIELDING. As to the printing of the Dominion notes, our appropriation has been $110,000. This will increase the amount to $130,000. In the fiscal year 1903-4 the actual expenditure was $129,000, so this vote is necessary to supply what experience shows will be needed. The House is aware, as we had some conversation on the subject on the supplementary estimates of last year, that we have been making an effort to improve the condition of our circulation by issuing cleaner notes. And that, I am glad to know, is appreciated.

Mr. BERGERON. Why was not the whole amount asked ?

Mr. FIELDING. The estimate was prepared when I was not present. We might reasonably have anticipated this at the beginning.

Civil Government—Governor General's secretary's office—clerical assistance, notwithstanding anything in the Civil Service Act, $500.

Mr. FOSTER. Why does the minister put in this proviso ?

Mr. FIELDING. Because of a lady who came out from the old country with His Excellency, and for whom we have made provision for the close of the year. This is to make provision for the coming year.

Department of Agriculture—to increase the salary of A. G. Doughty, Dominion archivist, to $2,200, notwithstanding anything in the Civil Service Act, $250.

Mr. FOSTER. When was Mr. Doughty appointed ?

Mr. FISHER. On May 16th, 1904.

Mr. FOSTER. At what salary ?

Mr. FISHER. At the lowest of his class as chief clerk, $1,900. But he is an officer of very special qualifications, and I do not consider that $1,950 is proper compensation for such a man occupying the position of archivist.

Mr. BERGERON. I know the gentleman, and I think he deserves twice as much.

Mr. FOSTER. Why was not the salary made more adequate when Mr. Doughty was appointed ?

Mr. FISHER. The late Dr. Brymner was chief clerk. When Mr. Doughty was appointed he came in at the bottom of his class. I left the appointment that way, but I take this opportunity to give him an increase.

Mr. FOSTER. What was Mr. Brymner's salary at the time of his death ?

Mr. FISHER. He was near the head of the chief clerks' class, and his salary was $2,350 or $2,400.

Mr. FOSTER. What are Mr. Doughty's qualifications ?

Mr. FISHER. He is a graduate of Oxford, an English gentleman who has lived fourteen or fifteen years in this country. He was in the service of the Quebec government as joint librarian and secretary to one of the ministers. He is the author of works on Canadian history, notably one on the taking of Quebec, which is quite a standard work.

Mr. FOSTER. What is his age ?

Mr. FISHER. About thirty-eight or forty.

Department of Agriculture—additional amount required for the promotion of a first-class clerk to a chief clerkship, $300.

Mr. FISHER. That is my private secretary.

Mr. URIAH WILSON. What is his present salary ?

Mr. FISHER. It is $1,600 ; and I propose to reduce the amount paid to him as private secretary, so that the salary will be the same. But he will be higher in the service.

Mr. FOSTER. How long has this gentleman been in the service ?

Mr. FISHER. About eight years ; he came in when I became minister.

Mr. FOSTER. He came in as what ?

Mr. FISHER. He came in as my private secretary and second-class clerk.

Mr. FOSTER. This is pretty rapid promotion.

Mr. FISHER. He is a man of exceptional qualifications.

Mr. FOSTER. They all are that, you know. I do not question this gentleman's qualifications. But he came in as second-class clerk at a salary of—what ?

Mr. FISHER. I think that he was first private secretary and not in the service, and had a higher salary than the lowest of his class, which would be $1,100.

Mr. FOSTER. This is very rapid promotion. When I came into office as Minister of Marine and Fisheries, and afterwards became Minister of Finance, I thought I was doing very well when I put in my private secretary as second-class clerk at $1,100. Thereafter he simply went up with his grades and received the regular increase. But here you have a man who has been eight years in the service, and now you make him a chief clerk, which allows him to go to a maximum of how much ?

Mr. FISHER. Of $2,500 ; but it will take him ten years to reach it.

Mr. FOSTER. It does not seem to me that a minister ought to use his exceptional powers to put forward a certain man so rapidly. He may be a good man. But there are a great many good men in the service, in all branches of it, who spend every hour of the day in the work of the department. This man of course must be monopolized by the minister himself, he does not do any chief clerkship work, he cannot do that as long as he is kept employed as the private secretary of a busy minister.

Mr. FISHER. That is much harder work.

Mr. FOSTER. It may be much harder work in one way, and he may put in more hours; but, of course, there are also bright spots in his career that the man who goes through the daily routine of office work week after week and year after year, has not, and these are to a certain extent a compensation. It would seem to me that, commencing at the bottom of a second-class clerkship and getting up into a first-class clerkship, was a sufficient promotion. We must bear in mind that we have to act in view of a large service. These things are noted, they have a certain effect upon the service as a whole, and it makes not the best kind of feeling in the service for honest, capable and efficient servants plodding along every day, and who have not any of these nice outings that a private secretary certainly has with his minister. Their salary creeps up at the rate of $50 a year, with lapses sometimes between, and when they get to the top class they have to wait there until some opportunity arises by vacancy or otherwise, to get up into a higher class. When you take a young man and make him a chief clerk, and then your secretary—in my time that would be considered an extraordinary thing for a minister to do, but of course things move more rapidly now.

Mr. URIAH WILSON. The permanent salary now, I understand, is about $1,900 ?

Mr. FISHER. $1,900, and $300 an allowance to make the sum of money he is getting now.

Mr. URIAH WILSON. You are giving him a better position in the service and a better permanent salary ?

Mr. FISHER. Yes.

Additional amount required for the promotion of three second-class clerks, patent examiners, to the position of first-class clerks, $550.

Mr. FISHER. I have found that it is impossible to keep patent examiners, who are technical officers, unless we give them higher pay. Within the last year I have lost two of the most efficient of these officers. Three of them are graduates of universities, with technical degrees, which has been the rule ever since I have been appointing patent examiners. I regret to say that within the last year I have had to lose some of the best men because they could not receive more than the ordinary statutory increase. I have three who have been appointed now for many years and who are working up slowly. I had five, two of them have gone, and I know that I will have to give these others this promotion. Later on in the same item I am asking for an exceptional special increase to several others. These were lower down and new arrivals in the service. I did not feel that I could give them promotion to a higher class, but I want to give them increases greater than the ordinary increase in the statutory allowance, simply for the reason that they are technical officers, and I cannot keep them at their present salary. One of them is getting $1,350, two others are getting $1,300. Two of them will get an increase of $200, and one $150. They will now all commence at the bottom of the first class at $1,500.

Additional amount required for the promotion of two junior second-class clerks to the position of second-class clerks, $400.

Mr. FISHER. These are two second-class clerks who have shown unusual efficiency, and I wish to give them promotion.

To provide for three additional junior second-class clerkships, E. A. Thomas at $1,100, W. A. Fraser at $1,000, transferred from outside service, notwithstanding anything in the Civil Service Act $2,900.

Mr. FISHER. Ever since I have been in the office there has been practically two accounting officers, one with the department and one in Prof. Robertson's branch, dairying and agriculture. As the House knows, Prof. Robertson resigned a short time ago, and in the reorganization I thought it was better that the accounting should all be brought under one head. These men were in the outside service, not on the Civil Service list and not subject to the Civil Service Rules. I am bringing them in for the purpose of putting them on the civil service list. There are three of them. The two here mentioned are in the enjoy-

ment of the salaries they are now getting in the outside service, and in bringing them in I felt that I ought to give them more salary, and therefore I had these words added, 'notwithstanding anything in the Civil Service Act,' as they do not come in at the bottom of their class.

Mr. URIAH WILSON. At what salary did they enter.

Mr. FISHER. I think they commenced at $600, or perhaps lower.

Mr. URIAH WILSON. What is the salary of a man entering the service now ?

Mr. FISHER. A third-class clerk commences at $500 and works up. A junior second class commences at $800. Mr. Thomas was receiving a salary of $1,100, and Mr. Fraser $1,000; the other one was getting a lower salary.

To increase the salaries of patent examiners W. H. T. McGill, $150 ; M. L. Rush, $150 ; W. H. Withrow, $150 ; J. Kilgallan, $200 ; notwithstanding anything in the Civil Servic Act, $650.

Mr. BARR. What salary did these gentlemen receive before ?

Mr. FISHER. Mr. McGill is getting $1,300 ; he will get $1,450. Mr. Rush is getting $1,250, Mr. Withrow $1,250, and Mr. Kilgallan $850. Mr. Kilgallan, although the lowest, has been the longest in the service, but he was not always a patent examiner. Mr. Withrow has been in since 1902, Mr. Rush since 1897, and Mr. Kilgallan since 1890. These are just in the same position as the patent examiners I promoted before, only they were not so high up in the service.

Mr. URIAH WILSON. Does it not seem strange that out of seven items four should contain the words 'notwithstanding anything in the Civil Service Act ?' It seems to me that it is time the Act was amended so that it would not be necessary to put these words in almost every item, I think that when we have these words year after year in so many items it makes the Civil Service Act of very little use. During the recess it would be well for the government to consider the subject and see if we cannot have the Act changed.

Mr. FISHER. Certain of them are technical officers and of course they have to be dealt with in a different way from the ordinary clerk in the service.

Mr. URIAH WILSON. Cannot the Act be made to cover cases of that kind ?

Mr. FISHER. Possibly it might be. The other cases are those in which officers have been in the outside service and we are bringing them into the department.

Contingencies—further amount required, including M. A. Prentiss at $550 and S. Hunter at $550, transferred from outside service, notwithstanding anything in the Civil Service Act, $2,000.

Mr. FISHER. These contingencies are due to the fact that there are four temporary clerks who will come under the Civil Service Act in the accounting office. Two have not passed the Civil Service examination consequently these words have to come in. The others have passed the Civil Service examination.

Mr. URIAH WILSON. Why do you take in those who have not passed the Civil Service examination ?

Mr. FISHER. Because these are two ladies who have been a long time engaged in this work. While they were in that service they did not require to pass the Civil Service examination. They were in the accounting branch to which the Civil Service examination did not apply. It would be unfair and bad for the service to dismiss them after they had been a number of years in the service and take on others who might have passed the examination. Therefore, I ask these words to be put in so as to bring them into the accounting office of the department which I think is better than the old arrangement.

Mr. BARR. Is there any hope of their passing the Civil Service examination, or are they to go on continuously without first passing that examination ?

Mr. FISHER. I do not know that I should say it, but I think they are over the age.

Mr. URIAH WILSON. I do not wish to be unfair to any class of civil servants, but I thought it was necessary to have an explanation. I think we ought to have explanations of this kind in regard to all the items we pass. I do not think it always follows that because persons can pass the Civil Service examination they are good officers.

Civil government—Post Office Department—to provide for the appointment of Miss Mary Kennedy to a third class clerkship from 1st July, 1905, notwithstanding anything in the Civil Service Act, $500.

Mr. FISHER. This is the appointment of a lady who has not passed the Civil Service examination and who is also beyond the age.

Mr. URIAH WILSON. Is her home in Belleville ?

Mr. FISHER. I do not know.

Mr. URIAH WILSON. I think so.

Mr. FISHER. Perhaps so.

To provide a special increase of salary for the undermentioned employees from the 1st July, 1905, notwithstanding anything in the Civil Service Act : Sidney Smith, controller of postal stores, $100 ; Wm. Smith, secretary, $200, $300.

Mr. FOSTER. This is a special sum voted for two special increases. What is the rule that is adopted in the post offices ?

For instance, take the post office in this city. Do the yearly increases go to deserving clerks who do their duty satisfactorily and have no reports against them ?

Mr. FISHER. Yes, I think so.

Mr. FOSTER. Is there any examination which is necessary to be passed by these clerks in order to secure an increase?

Mr. FISHER. Yes.

Mr. FOSTER. For the statutory increase ?

Mr. FISHER. No.

Mr. FOSTER. That is what I mean.

Mr. FISHER. I am informed that for two years back there has been. When I spoke I meant the examination for promotion from one class to another.

Mr. FOSTER. Where is the authority for that ? I know that you should have an examination under the post office Act if you are going to promote a clerk from one class to another, but I do not know that there is any provision in the Post Office Act by which you make these clerks pass an examination as a condition of their getting their increases. Is that a regulation ?

Mr. FISHER. I am informed it is a departmental regulation. It was adopted two years ago for the purpose of inducing ambition in the clerks and to promote efficiency so as to make them interested in their work.

Mr. FOSTER. What is the nature of the examination ?

Mr. FISHER. It is an examination on the duties of their office ?

Mr. FOSTER. An examination on the duties of their office. In the post office for instance, each clerk has his sphere of work.

Mr. FISHER. And also on the general post office regulations.

Mr. FOSTER. I am trying to figure out how it would be possible to have an examination which would be clear and at the same time be indicative of anything on just the routine duties that the clerk is engaged in. Of course, I can very well see that if you are going to promote him from one class to another this examination may be necessary, but I can hardly see how it comes in while you keep the clerk to practically the same routine duties.

Mr. FISHER. I am informed that there is a test. For instance, in the post office there will be a test in regard to sorting letters, and test questions will be asked in regard to post offices in the country, as to the knowledge of postal regulations, postal rates and so on, so as to make every clerk inform himself on the subject, a knowledge of which would enable him better to perform his ordinary duties.

Mr. FOSTER. I can hardly conceive it possible that you would keep a clerk there if he did not know the postal rates and have that sort of knowledge which is absolutely essential to any performance of his duties.

Mr. FISHER. The knowledge that the examination is coming keeps him up to the mark.

Mr. FOSTER. Who authorizes and carries out that examination ?

Mr. FISHER. The deputy Postmaster General supervises the arrangements for the examination and the heads of the branches carry them out.

Mr. FOSTER. Is the examination oral or written, or both ?

Mr. FISHER. Where it is in the form of questions, it is a written examination. Where it is what is called a case examination, the sorting of letters and that kind of work, it is actual performance.

Contingencies—engraving postal maps, $5,000.

Mr. FOSTER. What is that for ?

Mr. FISHER. This amount is required for the engraving of copper postal maps. Heretofore these maps have been prepared by a lithographic process but changes could not be made in the lithographic plates. The advantage of engraving on copper is that when changes are required they can be made on the copper plates. These plates are the property of the Post Office Department and the maps produced therefrom are much superior in workmanship.

Mr. FOSTER. Who does this work ?

Mr. FISHER. The Toronto Lithographing Company and the Copp, Clarke Company have done some of it by tender.

Department of Finance—		
To increase the salary of J. Fraser to $2,800, notwithstanding anything in the Civil Service Act .. .. ..$	300 00	
To increase the salary of T. C. Boville to $2,500, notwithstanding anything in the Civil Service Act..	300 00	
For one 1st class clerk, notwithstanding anything in the Civil Service Act	1,900 00	
For one additional 2nd class clerk.. ..	1,200 00	
For three additional junior 2nd class clerks at $800, one notwithstanding anything in the Civil Service Act..	2,400 00	
		6,100 00

Mr. FIELDING. There are two items here for increases of salaries notwithstanding anything in the Civil Service Act. The first one is Mr. Fraser, one of the oldest officers in the public service, who is the chief accountant of the Department of Customs. He was at the maximum of his class and the only way that any special recognition could be given of his services and of the responsibility of his work was to give him a special increase. We therefore propose to make his salary $2,800,

which, I think, is only adequate having regard to his long service and the very responsible nature of his duties. He has been at the maximum of his class one year.

The increase to Mr. Boville is the case of another gentleman whose services are particularly valuable in the department and who in a few weeks hence will take up the duty of secretary of the department, the gentleman occupying that position having been obliged to retire owing to ill-health.

Provision is made for two additional officers in reference to whom the 'notwithstanding anything in the Civil Service Act' clause is put in. In both these cases it is contemplated to have in the service gentlemen who although they do not possess the civil service certificate have that which for my purpose is better, that is practical experience as accountants in different concerns. In one case a gentleman who is to be appointed as a first-class clerk has had very wide experience in connection with government accounts and is an officer particularly adapted to our work. The other case is that of a gentleman who will enter the service in rather a subordinate position, but who has also had practical experience as a business accountant and in the work which it is intended they shall perform experience of that kind makes them of more value than that of young men just out of school who might possess certificates.

Mr. FOSTER. There is an additional second-class clerk.

Mr. FIELDING. We are proposing a small increase in the staff. The work of the department is growing and we must make provision for some contemplated changes. Some of the older officials are gradually passing away and we are getting in younger men. We must increase the staff occasionally.

Mr. FOSTER. Is Mr. Treadwell being superannuated ?

Mr. FIELDING. Mr. Treadwell, who has been absent for over a year, has been forced to recognize that owing to his ill-health he is not equal to the duties of his office and he will have to retire at an early date. Mr. Boville will take his place.

Department of Railways and Canals—	
To increase the salary of L. K. Jones, secretary of the department, to $2,700 notwithstanding anything in the Civil Service Act.. .. ..$	200 00
To provide for the promotion of J. L. Payne from a first-class clerk to chief clerkship, notwithstanding anything in the Civil Service Act..	250 00
For the appointment to a first-class clerkship of H. F. Alward, a barrister-at-law, as assistant law clerk	1,500 00
For the appointment of two temporary clerks, to junior second-class clerkships at $800 per annum, one	
F. W. Addy, notwithstanding anything in the Civil Service Act.....$1,600 00	
	$3,550 00

Mr. EMMERSON. The first item is an increase of $200 for Mr. Jones, who has been secretary of the department for a number of years. He has been in the service, I think, since 1871, and has reached the maximum of his class. It seemed to me that in view of his long services and of his efficiency it was desirable to recognize that, and the only way it could be done would be by a vote of a special amount notwithstanding anything in the Civil Service Act.

Mr. URIAH WILSON. Has he had his regular increases ?

Mr. EMMERSON. He had reached the $2,500, the limit of his class. He is the secretary of the department, he acts as deputy minister during the absence of Mr. Schreiber and holds a very responsible position, and of course in consequence of his large and long experience in the department he is very familiar with the details of its working and is certainly a very efficient officer.

Mr. HAGGART. How long has Mr. Payne been in the department ?

Mr. EMMERSON. Mr. Payne was transferred from the Militia Department to the Railway Department in August, 1897.

Mr. HAGGART. How long had he been in the service before that ?

Mr. EMMERSON. I am speaking from memory, but I think it was in the eighties.

Mr. URIAH WILSON. I am of the opinion that it was later than that; I think we ought to have that information accurately.

Mr. EMMERSON. He was here I think in the press gallery. His first appointment was in 1893. He has performed the duties of private secretary to the minister since 1897, when he started with Mr. Blair. Previous to that he was private secretary to Sir Mackenzie Bowell, and previous to that to Sir John Carling.

Mr. URIAH WILSON. What is his present salary apart from his allowance as private secretary and what is that allowance ?

Mr. EMMERSON. He has been getting $1,600 and $600 as an allowance. It is proposed to appoint him to this position, which will give him $1,900 and a portion of the allowance. It means an increase under the arrangement to Mr. Payne's salary of $150.

Mr. URIAH WILSON. You propose to cut down the amount you give him as private secretary ?

Mr. EMMERSON. Yes.

Mr. URIAH WILSON. To what amount ?

Mr. EMMERSON. To $500.

Mr. FOSTER. The amount is $600.

Mr. EMMERSON. Yes, and I propose to give him $500 of that $600. Provision is made for $250 here. I think it is $1,650 plus $250, equals $1,900 and this plus $500 equals $2,400. Under the present arrangement he will be getting $2,300 if he were to continue to get the whole allowance of a private secretary.

Mr. FOSTER. Is he a first-class clerk now ?

Mr. EMMERSON. Yes.

Mr. FOSTER. What is the maximum of a first-class clerkship ?

Mr. EMMERSON. $1,900.

Mr. FOSTER. What objection has the minister to letting him go on with his increases in the first-class clerkship ? He has quite a road to travel there, there is still nearly $300 for him to get in that way and you could pay him his secretary's allowance of $600. What is the necessity for this ? It is much the same as what the Minister of Agriculture has done. He took a man who had been only eight years in the service and made him chief clerk and gives him besides his allowance as private secretary.

Mr. FISHER. One half of it.

Mr. FOSTER. This man has been in the department eleven years.

Mr. EMMERSON. Twelve years.

Mr. FOSTER. Well twelve years. You are putting him up $350 in his class and then raising him to a grade higher. This is most extraordinary promotion. What is the necessity for making him a chief clerk ? The minister does not expect to go out and leave him unprovided for. The government expect to remain in power a few years yet. Why then do you make him this year a chief clerk when he has still $350 to work out in his first-class clerkship ? And besides that you give him the work of a private secretary, which does not leave him many spare moments.

Mr. EMMERSON. By reason of his experience and ability and knowledge, Mr. Payne is entitled to this increase. He is a very busy man. He has not the spare hours that are usually alloted to civil servants. From the earliest hour in the morning until the very latest at night, even during the hours this House is sitting, he is occupied.

Mr. HAGGART. What is the necessity for another chief clerk in the department ? You say that because he is efficient and a faithful servant you make him a chief clerk. You do this in order to remunerate him. But he receives a salary as private secretary of the minister besides receives the salary of a first-class clerk, which is all the department requires. But in order further to remunerate him, without showing that there is any necessity for another chief clerk in the department, you create him chief clerk. That seems to me curious logic. The law requires that the minister should first of all have a certificate from the deputy minister that another chief clerk is required. That is submitted to the Governor General in Council, and when you get their approval you ask for the vote.

Mr. EMMERSON. My hon. friend has omitted to say that before the certificate from the deputy minister is received and before the Order in Council is passed, you must have a vote by parliament. Mr. Payne is doing the work of a chief clerk. His duties require him to do work which certainly could only be required of one who has the qualifications for a chief clerkship. As private secretary of the minister, he has not merely to attend to correspondence, but the carrying out a number of transactions in connection with the department which are of a class that call for the qualifications of a chief clerk. As he does that kind of work, it seems to me that he ought to receive the pay it is worth. What we are doing is only fair and just and what has been done in the past, and is only a fair recognition of merit.

Mr. HAGGART. The hon. gentleman says that first of all, before he can change the theoretical organization of his department, he has to get the vote of parliament. I differ from him entirely. First of all he should have a certificate from the deputy minister showing the necessity for another chief clerk, and that should have the approval of the Governor General in Council. Then you get your vote for the purpose of enabling you to carry out that change.

Mr. EMMERSON. I think my hon. friend is in error.

Mr. FOSTER. This is no question of Mr. Payne's ability as clerk or private secretary, in both of which capacities he is a very capable man. Is the minister going to use Mr. Payne during the coming years as his private secretary ?

Mr. EMMERSON. Yes.

Mr. FOSTER. I take this ground. He is to be continued as private secretary. That will take all his time. The minister's work is quite enough for one man to attend to in that respect. That is, you are not going to employ Mr. Payne in the least as a chief clerk in the department.

Mr. EMMERSON. There is a clerical error there, which I will point out. I attempted to make it clear that incidental to his duties as private secretary there is work connected with the department which requires the qualifications of a chief clerk which is the work of a chief clerk, departmental work, which Mr. Payne, because of his experience and familiarity with

the department, is enabled to attend to, and thereby relieve the minister of a great deal of departmental work which he otherwise would have to attend to. I have found the value of Mr. Payne's services in that direction.

Mr. HAGGART. Mr. Payne may be the most valuable man in the world, but the law requires that before you make a change in the theoretical organization of the department, some reason must be assigned for it. The law requires a report from the deputy head of the department, confirmed by the minister and sanctioned by the Governor in Council. We have not received that information. We are not disputing the ability of Mr. Payne. You may have a hundred persons in the department with abilities that are not at all compensated by the pay they receive, but it is the duty of the minister first of all to know what is required for the purpose of carrying on the business of the department.

Mr. EMMERSON. I admire the persistency of my hon. friend. Last year he made this same contention. It was on that occasion mildly suggested that the preliminary step was to get the money voted, and after that, if the deputy recommended and the minister confirmed and the council confirmed the recommendation and it received the sign manual of the Governor General, the appointment would be complete. I understand that to be the routine; but if there were any question as to that, I may say that I have the recommendation of the deputy minister for this, and if it has not gone through council, I apprehend that it is because the money has not yet been voted.

Mr. HAGGART. Surely the minister must know that before a vote is given some reason should be assigned for the change, but we are not given that. We are asked to make this vote because this person is thoroughly qualified and because, in the absence of the minister, he has to take upon him duties which devolve on a chief clerk. The first thing we should consider is the necessity for a chief clerkship at all in the department. We have not been given any information as to that.

Mr. R. L. BORDEN. As far as this depends on Mr. Payne's ability, I think that all who know him recognize that he is a man of considerable ability, and especially executive ability. I think there would not have been much difficulty about the matter if the minister, in the first place, had produced the requisites which the statute prescribes. The minister has justified it to a certain extent upon Mr. Payne's management, and apparently on the theory that the minister should be allowed to interfere as little as possible with the working of the department. Perhaps my hon. friend from Lanark might be willing to accept that, and let the item pass.

Department of Railways and Canals—for the appointment to a first-class clerkship of H. F. Alward, a barrister-at-law, as assistant law clerk, $1,500.

Mr. EMMERSON. Mr. Alward, a graduate of New Brunswick University, and a barrister-at-law of the province of New Brunswick, has been acting as assistant law clerk since March, 1904. He is a very efficient official; I can say that, not only on my own authority, but on the authority of the deputy minister, and on the recommendation of the deputy minister he is made permanent in the service and a first-class clerk.

Mr. FOSTER. That gives the minister a legal staff ?

Mr. EMMERSON. It does not give it; we have it now. I found it in the department when I came there, and it has been continued.

Mr. FOSTER. That is, you found a law officer ?

Mr. EMMERSON. I found a law clerk and an assistant law clerk.

Mr. FOSTER. What has become of the former law clerk ?

Mr. EMMERSON. He went to Messrs. Mackenzie & Mann, in Toronto, and Mr. Hansard took his place. Mr. Alward takes the place of Mr. Hansard.

Mr. FOSTER. The hon. gentleman is keeping up the traditions of the department, and I suppose the object is to relieve the Justice Department of some of its duties ?

Mr. EMMERSON. I find the services of the law clerk very valuable in making researches without having to refer every little departmental matter to the Department of Justice.

Mr. FOSTER. Of course, all matters of moment you refer to the Justice Department ?

Mr. EMMERSON. Oh, yes.

Department of Railways and Canals—for the appointment of two temporary clerks to junior second-class clerkships at $600 per annum, one S. W. Addy, notwithstanding anything in the Civil Service Act, $1,600.

Mr. EMMERSON. There is in the department what you might call permanent temporary clerks.

Mr. FOSTER. But you do not find any temporary permanents, do you ?

Mr. EMMERSON. There are quite a number of these temporary permanent officers in the department. The late Mr. Ridout, the hydraulic engineer, was one.

Mr. HAGGART. Does the minister create two new second-class clerkships ?

Mr. EMMERSON. Instead of having the officers as temporary clerks we make them

permanent. One is a young lady who has been in the deputy's branch and who is a very efficient typewriter and stenographer. The other is Mr. Addy, who has shown himself as a very efficient officer. He is from the city of St. John, a son of Dr. Addy there. He served with credit with the first Canadian contingent in South Africa, and on his return, was appointed to this department as a temporary clerk.

Department of Militia and Defence—to increase the salary of J. W. Borden, accountant and paymaster-general to $2,800, notwithstanding anything in the Civil Service Act, $300.

Mr. FOSTER. Is this a case of nepotism ?

Sir FREDERICK BORDEN. I think not.

Mr. FOSTER. It will require some explanation.

Sir FREDERICK BORDEN. The explanation is that Mr. Borden's duties have been increased. Under the statute passed last session, he is a member of the militia council. The Militia Department has grown very much, and its expenditures are largely increased. There is an enormous variety of expenditure, involving a study of the thousand and one orders governing pay. A special audit of the branch has been established, which, I think, is most important. Altogether, I think, that an officer of Mr. Borden's standing, who has been at the head of his class for seven or eight years should receive not less than $2,800.

Department of Militia and Defence—	
To provide for additional clerks, as follows :	
1 chief clerk..	$1,900 00
1 second-class clerk..	1,200 00
3 junior second-class clerks at $800 each per annum, including J. M. Brown, notwithstanding anything in the Civil Service Act..	2,400 00
5 third-class clerks at $500 each per annum..	2,500 00
To increase the salary of E. B. Holt to $1,900 per annum, and of J. A. McCann to $1,700 per annum, notwithstanding anything in the Civil Service Act..	200 00
To provide for allowance to secretary of Militia Council, notwithstanding anything in the Civil Service Act..	300 00

Sir FREDERICK BORDEN. Taking these together with the item we have just discussed, there is an apparent increase of $8,200. It really means an increase of $2,200. A new chief clerkship has been created for the military branch, which is an increase; and at the request of General Lake and the officers of that branch, and on the recommendation of the deputy minister, I have taken this step. It has been proposed to promote Mr. Beard, now a first-class clerk who received $1,600 to the position. Therefore, the increase involved is not $1,900 but $300. The second-class clerkship will be filled by a promotion the addition involved being $300. In the case of the three junior second-class clerks, the increase there is $400, for we are promoting men from the third-class or temporary grades. In the same way, the five third-class clerks will be appointed from a list of temporary clerks.

Mr. FOSTER. Then, do you fill up the list of temporary ?

Sir FREDERICK BORDEN. No. Mr. E. B. Holt has been in the accountant's branch and will practically have the duties of assistant accountant. He has been in the service since 1882, and was formerly a banker. His present salary is $1,800. He is a very good man, and I think deserves this increase of $100, which will take him to the maximum of his class. Mr. McCann has been in the service since 1890, his present salary being $1,600. He is in the contracts' branch, a branch organized about a year ago, and is really doing the work of assistant director of contracts. These are men deserving of the increases it is proposed to give them, and giving these increases will add to the efficiency of the department.

Mr. FOSTER. It will increase the staff by ten clerks.

Sir FREDERICK BORDEN. The permanent staff, yes. But I think there will be no more than one—certainly not more than two—actually.

Mr. FOSTER. Has the minister made a corresponding decrease in the vote for temporary clerks ?

Sir FREDERICK BORDEN. The vote in the main estimates will be reduced by $6,600 ; that is to say that amount will not be used and will lapse.

As to the allowance for the secretary to the Militia Council, that vote was taken because the gentleman who does that work, Mr. Jarvis, is obliged to work over hours and to give special attention to his work. It is work of very great importance. A great deal of the proceedings of the council are necessarily secret, and it is essential to have a man who can be trusted and who is thoroughly familiar with the work of the department. Mr. Jarvis is a chief clerk and has charge of all the correspondence and all the papers and documents of the department. As long as he does the work of a secretary he will receive $300 in addition, which will give him $2,700.

Contingencies—further amount required : clerical assistance, $1,000 ; printing and stationery, $500 ; sundries, $500.

Mr. FOSTER. What is the extra clerical assistance ?

Sir FREDERICK BORDEN. That is special work which is required at certain times, in the way of copying, and particularly in revising regulations and orders. That work is going on now, and we require some clerical assistance for that purpose. Printing and stationery is increasing year

by year, printing is increasing enormously in the Militia Department. The instructions are all printed, and I have not felt like restricting it.

Department of Customs—to increase the salary of the assistant commissioner of customs to $3,000, $200 ; to increase the salary of R. F. Farrow, accountant, to $2,450, notwithstanding anything in the Civil Service Act, $200 ; to increase the salary of F. T. Bennet, chief statistical officer, to $2,250, notwithstanding anything in the Civil Service Act, $200 ; to increase the salary of Alfred Morin, chief clerk, Seizures Branch, to $2,200, notwithstanding anything in the Civil Service Act, $200 ; total, $800.

Mr. FOSTER. Who is the assistant commissioner ?

Mr. PATERSON. John Bain. Mr. Farrow is chief clerk and accountant, at the head of the accountant's department. Mr. Bennet is chief clerk of statistics, and Mr. Morin is chief clerk of the seizures branch.

Department of Inland Revenue—further amount required to increase the salary of Wm. Himsworth, chief clerk and secretary, from $2,500 to $2,600, notwithstanding anything in the Civil Service Act.

Mr. BRODEUR. Mr. Himsworth is secretary of the department and has been there since 1868. His salary is increased by $200. There has been a mistake in putting it at $100 in the estimate.

Further amount required for promotion of three first-class clerks to chief clerkships, $300.

Mr. BRODEUR. These clerks are Mr. Shaw, Mr. Morin and Mr. Doyon, who have been in the service respectively from 1872, 1874 and 1876. Mr. Shaw is chief statistical clerk, and after having been in the service now for thirty-three years, I think he deserves an increase. He is taking charge of a very important branch. Mr. Valin has been in charge of the financial accounts of the department. Mr. Doyon is in charge of weights and measures, gas and electric lights accounts, a very important branch, with regard to the administration of which I intend to make some important changes.

Mr. FOSTER. Have you three chief clerkships now at your disposal ?

Mr. BRODEUR. No, we have only two chief clerks in the department. In some other departments there are as many as eleven.

To provide for the appointment of one second-class clerk, notwithstanding anything in the Civil Service Act, $1,200.

Mr. BRODEUR. My private secretary is leaving very soon, and I intend to replace him by a young man who is a graduate of a university, but who has passed the age limit, and I have to take a special vote to cover his case. He is above thirty-five years of age. I think it is better to put his name in the vote, Ernest Desaulniers. He does not require to pass the civil service examination, being a graduate of Laval University.

Department of the Interior—to increase the salaries of the following officials: P. T. G. Rothwell, $200 ; P. G. Keyes, $200 ; G. U. Ryley, $200 ; notwithstanding anything in the Civil Service Act, $600.

Mr. FOSTER. What are these officers getting at the present time ?

Mr. OLIVER. Mr. Rothwell is getting $2,500, and it is proposed to raise him to $2,700. He is the law clerk of the department and has been in the service since 1883. Mr. Keyes is getting $2,500. He has been in the department since July, 1878. Mr. Ryley has been 23 years in the service. His salary is $2,450, and we are increasing it to $2,650.

Department of the Interior—to increase the salary of Jas. White, geographer, notwithstanding anything in the Civil Service Act, $200.

Mr. OLIVER. Mr. White, from the 1st of July, will be getting $2,050; it is proposed to raise him to $2,250. He was in the employ of the geological survey from the 28th of January, 1881, to the 1st July, 1899, when he was transferred to the Department of the Interior and appointed geographer.

Department of the Interior—to provide for one promotion to a first class clerkship, $225.

Mr. FOSTER. Who is this ?

Mr. OLIVER. Mr. Surtees. He entered the Department of the Interior in 1885.

Mr. FOSTER. What salary is he getting now ?

Mr. OLIVER. $1,275. This gives him $1,500.

Department of the Interior—to provide for the promotion of T. W. Hodgins to a junior second class clerkship, notwithstanding anything in the Civil Service Act, $192.50.

Mr. OLIVER. Mr. Hodgins has been in the service for over eighteen years. From the 10th February, 1887, to the 24th April, 1896, his services were divided between the Department of the Interior and the House of Commons, where he was employed in the library. Mr. Hodgins is attached to the secretary's branch of the Department of the Interior, he is 54 years of age and in view of his long period of faithful service it has been decided to give him a junior second-class clerkship. The sum of $607 was provided for in the main estimates and this additional sum will increase his salary to $800, the minimum salary of a junior second-class clerk.

Department of the Interior—to provide for the promotion of three third-class clerks to the junior second-class, $650.

Mr. R. L. BORDEN. What is the explanation of this ?

Mr. OLIVER. To promote three third-class clerks, Misses Ida Dunlop, Edith Dunlop and M. B. Williams, who have been employed since 1901, to second-class clerkships.

Civil government—Department of the Secretary of State—	
To provide for one additional third class clerkship..	$500 00
To increase the salary of P. Pelletier, chief clerk, notwithstanding anything in the Civil Service Act..	200 00
Department of Public Printing and Stationery—	
To increase the salary of John Foran, housekeeper..	100 00
To increase the salary of W. McMahon, Superintendent of Printing, notwithstanding anything in the Civil Service Act..	200 00

Mr. R. L. BORDEN. What is a housekeeper of printing and stationery ?

Mr. FIELDING. This is a man who takes care of the Printing Bureau.

Mr. URIAH WILSON. What is his salary now ?

Mr. FIELDING. $800.

Mr. URIAH WILSON. And the other one ?

Mr. FIELDING. Mr. Pelletier is getting $2,405, and he will get $200 additional. He has been in the service since 1888.

Civil government—Department of Public Works—	
To provide for payment of chief engineer at the rate of $3,500 per annum	$ 100 00
To provide for payment of chief clerk of engineering branch and of parliamentary estimates and appropriations at the rate of $2,800 per annum, notwithstanding anything in the Civil Service Act..	300 00
To provide for salary of N. M. Mathé, 2nd class clerk, notwithstanding anything to the contrary in the Civil Service Act..	1,200 00
To provide for payment of chief architect at the rate of $3,500 per annum..	300 00
To provide for the payment of the salary of $1,200 granted by parliament for the fiscal year 1904-05 to H. J. Guppy, second class clerk, in full, notwithstanding anything in the Civil Service Act..	83 33

Mr. R. L. BORDEN. Is there any special explanation of these ?

Mr. FIELDING. My hon. friend the Minister of Public Works (Mr. Hyman) is not here, but I have some recollection of some of these things myself. The first item, providing for the payment of chief engineer, refers to Mr. Lafleur, whose salary is $3,500, which is not out of proportion to the position of a professional gentleman who is the chief engineer of a great department. The second item is to provide for an increase to a gentleman who is also an engineer, and who has the particular duty of caring for the estimates of the department. This is Mr. Steckel who is referred to. I am told that Mr. Mathé is still in the civil service. There must be some special reason why they require a special vote, but I have not been advised as to that. The next item is to provide for the salary of Mr. Ewart, the chief architect, a professional gentleman of very high standing, and I do not think it will be believed that his salary is too high. The last item appears to be necessary by reason of a difficulty. I think the officer referred to, by one day, failed to connect between two years, and, technically, he could not get the benefit of his promotion. This is to overcome the difficulty. The matter was dealt with by Order in Council some time ago, and this item has been introduced accordingly.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. What business will be taken up on Monday after private Bills ?

Mr. FIELDING. We should like to be free to take any business that now arises. I think the Minister of Militia purposes giving his militia statement, and then we will have the Tariff Bill and estimates generally.

Motion agreed to, House adjourned at 10.40 p.m.

HOUSE OF COMMONS.

MONDAY, July 10, 1905.

The SPEAKER took the Chair at Three o'clock.

FIRST READING.

Bill (No. 191) respecting the Joliette and Lake Manuan Colonization Railway Company.—Mr. O. E. Talbot.

SOUTH SHORE RAILWAY COMPANY.

Mr. GEOFFRION moved that Bill (No. 149) respecting the South Shore Railway Company be referred back to the Committee on Railways, Canals and Telegraph Lines for further consideration.

Mr. HAGGART. There must be some reason for that.

Hon. L. P. BRODEUR. This Bill came before the Railway Committee the other day and was rejected, in the absence of the solicitor of the company. That railway now being in the hands of a receiver, it was thought by the committee that this extension of the delay which was asked for by the company would benefit the company and not the creditors ; it has, however, been ascertained since that this amendment is going to benefit the creditors of the company, and it is with the consent of those

who were opposing the Bill that this motion is made.

Mr. SPROULE. When that Bill was in the committee it seemed to me that there was a decided impatience on the part of the committee to hear any discussion regarding it. As soon as the preamble was read it was declared lost. I argued strongly, in the absence of the hon. member who had charge of the Bill, that a delay should be given until the member who had charge of it was present. As a matter of course, delays have always been allowed heretofore under such circumstances. But I frankly confess that I think that during the present session, at least, that committee is not doing its full duty. Very often it displays an impatience that is hardly consistent with logical and proper work. On the same day another Bill was summarily disposed of in a way that I would not expect from the committee.

Motion agreed to.

MEMORANDA FROM MILITIA COUNCIL.

Hon. Sir FREDERICK BORDEN (Minister of Militia and Defence) moved for leave to lay on the table of the House a memorandum by the military members of the Militia Council; also a memorandum by the finance members of the said council.

Motion agreed to.

Sir FREDERICK BORDEN. I move that the rule be suspended and that these papers be printed. I hope to have these memoranda printed in order that they may be in the hands of all the members when the militia estimates are under discussion. I have had a large number typewritten, but I think it would be desirable to have them printed.

Motion agreed to.

ELECTION OF MEMBERS OF HOUSE OF COMMONS TO FILL VACANCIES.

Mr. R. L. BORDEN. I desire to introduce Bill (No. 194), which is along the lines of the legislation which has been adopted in the province of Ontario; and it is designed to provide that a writ shall be issued within a reasonable period when the seat of any member becomes vacant by death or otherwise during a parliamentary term. In the province of Ontario there was a delay, I think, on one occasion of about eighteen months, during which a constituency remained unrepresented. It was owing to the scandal that was caused on that occasion that this legislation was passed in the province of Ontario. In this parliament we have had somewhat similar experiences, although not quite equal to that in the province of Ontario. If I remember rightly, the St. James division of Montreal remained vacant for more than a year, because the government did not see fit to take the necessary proceedings for the election after the Speaker's warrant had been issued. The Bill I propose to introduce reads as follows:

1. Section 8 of the Act entitled An Act respecting the House of Commons, being chapter 13 of the Revised Statutes of Canada, is amended by adding thereto the following as subsection (3):

3. In case the seat of any member of the House of Commons is vacated for any cause, if the writ for the election of a new member has not issued within after such vacancy occurred, it shall be the duty of the Clerk of the Crown in Chancery to issue the writ forthwith; which writ shall be addressed to such person and be dated and be returnable on such days as he shall determine; and all courts, officers and persons shall give full effect to the writ so issued.

2. Section 9 of the said Act respecting the House of Commons is amended by inserting after the word 'writ' in the second line thereof the words 'or the said clerk may himself, pursuant to the provisions of the next preceding section, issue said new writ.

3. Section 10 of the Dominion Elections Act, 1900, is repealed and the following section is substituted therefor:

(10.) Every writ for an election shall be addressed to such person and be dated and be returnable on such days as the Governor General determines, or as the Clerk of the Crown in Chancery determines, in cases where such clerk has authority to so determine, pursuant to the Act respecting the House of Commons.

(2.) It shall be forwarded by the Clerk of the Crown in Chancery to the person to whom it is so addressed, and shall be transmitted to such person by mail unless the Clerk of the Crown in Chancery shall otherwise order.

(3.) It shall be in the form 'A' mutatis mutandis.

(4.) Section 11 of the Dominion Elections Act 1900, is repealed and the following section is substituted therefor:

11. The person to whom a writ is addressed, as hereinbefore provided, shall be the returning officer at the election to which such writ relates; provided always, that if the person to whom the writ has been addressed refuses, or is disqualified or unable to act, the Governor General, or the Clerk of the Crown in Chancery, where such person had been nominated by him, may appoint another person to be such returning officer.

These amendments in the Dominion Elections Act are made necessary by the amendment in the House of Commons Act to which I have referred. It is very probable that in accordance with the general practice it would have been better to have made these amendments to the two Acts by separate Bills. However, as all these amendments relate to the same subject, I can as readily bring them to the attention of the government by introducing them in one Bill as by dividing them into two, and therefore I have departed a little from what I think to be the better practice in presenting this Bill

to the House and especially to the attention of the government.

Motion agreed to, and Bill read the first time.

SASKATCHEWAN AND ALBERTA—ROADS AND ROAD ALLOWANCES.

Hon. FRANK OLIVER (Minister of the Interior) moved for leave to introduce Bill (No. 195) respecting Roads and Road Allowances in the provinces of Saskatchewan and Alberta.

Mr. R. L. BORDEN. Would the hon. gentleman give a brief explanation of it ?

Mr. OLIVER. This is merely to place formally in the hands of the government of the new provinces the same authority in regard to roads and road allowances as that which is now held by the government of the Northwest Territories.

Motion agreed to and Bill read the first time.

CRIMINAL CODE AMENDMENT—TRADING STAMPS.

Hon. CHARLES FITZPATRICK (Minister of Justice) moved for leave to introduce Bill (No. 196) in amendment of the Criminal Code, 1892. He said : The aim of this Bill is to do away as far as possible with the mischief connected with the trading stamp system. It has been introduced at the request of the Retail Merchants' Association and other associations of a similar character of the province of Quebec, and is designed to apply to the gentleman who disposes of the stamps, to the merchant who uses them and to the customer who seeks them.

Mr. R. L. BORDEN. By making their Act a criminal offence?

Mr. FITZPATRICK. By making their Act a criminal offence.

Motion agreed to, and Bill read the first time.

BILL WITHDRAWN.

Bill to amend the Canada Evidence Act, 1893.—Mr. Fitzpatrick.

HALF-BREED SCRIP.

On the Orders of the Day being called :

Mr. OLIVER. I beg to lay on the table a further instalment of information asked for by the hon. member for North Toronto (Mr. Foster) in regard to half-breed scrip. I may say that the balance will be down to-morrow.

THE NIXON CASE.

Mr. OLIVER. In reply to a question by the hon. member for North Toronto (Mr. Foster) in regard to the Nixon case, the questions asked in regard to the transactions of the sub-land agency cannot be answered at this office as the returns from the sub-land agencies do not come into the central office. I have now another investigation going on at Macleod. I have issued instructions that the information asked for by the hon. member for North Toronto shall be procured at Macleod as it is the only place at which it can be procured.

Mr. FOSTER. May I ask the hon. minister what kind of an investigation it is that is going on at Macleod? Is it simply into the accounts?

Mr. OLIVER. It is of a similar character to the one held before, but I have issued special instructions to inquire into the particulars as to the weight of responsibility resting upon the father and son especially in regard to those town lot transactions.

HOUSE OF COMMONS—BOARD OF INTERNAL ECONOMY.

Mr. R. L. BORDEN. Some time ago a reference was made to the proceedings of the Board of Internal Economy of the House of Commons. I suggested at that time that during all the time I had been a member of this House, since 1896. I had never observed any report or any statement of the proceedings of that committee and I asked that these might be brought down. I think it was promised that that would be done, but it apparently has been overlooked. May I direct the attention of the chairman of the board, or the Prime Minister, or the Speaker, or whoever is responsible, and ask that these proceedings be brought down and laid on the table of the House for the last ten or fifteen years ?

Sir WILFRID LAURIER. I have been for a longer period in the House than my hon. friend and I am not aware that such a report has ever been brought down. I will bring the matter to the attention of the chairman.

Mr. BRODEUR. There was a long report brought down last year and it will be found in the Votes and Proceedings of last year.

Mr. R. L. BORDEN. For one year or a number of years ?

Mr. BRODEUR. It was a report in regard to the classification of the officers.

Mr. R. L. BORDEN. What I suggested was that, as this is a committee of the House of Commons, and we usually have the reports from the committee of the House in regard to their proceedings, it would be only right that we should have a report from this committee and we should have it in the regular course every year. It does not seem to have been the practice in the

past but I respectfully submit that it should be the practice in the future.

Mr. BRODEUR. It has been done twice.

Mr. FOSTER. In connection with that I think a statement should be made out before we come to the supplementary estimates on the expenses of the House, and I should like to see a tabular statement of the officers of the House and the duties to which they are assigned. They are our officers, we pay them and as my hon. friend (Mr. R. L. Borden) has said, we seem not to have much knowledge as to what is being actually done. I think we should have the information which has been asked for by my hon. friend and a statement of the officers of the House and the duties to which they are assigned.

Mr. BELCOURT. In reference to that matter the qualifications of the officers of the House are stated in a report which was laid before the House last year. The hon. gentleman will find in the sessional papers of last year the full list of the officers of the House with their titles. I do not know that their duties are detailed, but their duties may be inferred from their offices.

Mr. FOSTER. That is the special point that I want to get at. We know that we have a lot of officers, that we pay them money, but we would like to know what their duties are and how they are distributed.

Mr. BELCOURT. There was a classification made last year and that classification appeared in the report to which I have just referred.

PRIVATE BILLS.

THE CANADIAN AGENCY.

House in committee on Bill (Bill 77) respecting the Canadian Agency.—Mr. Bickerdike.

Mr. BRODEUR. I said the other day, that it was my opinion that this Bill should not pass and for the following reasons. Some two years ago a charter was granted to this company under the name of the Canadian Agency, giving them very extensive powers and making provision that they should place a deposit in the hands of the Finance Minister, which if it were not made within a year the charter would lapse. The deposit was not made as required by the Bill and so the charter expired. They are now asking parliament to amend an expired charter, whereas the regular procedure would be to apply for a new charter. I think this Bill should be referred back to the Committee on Banking and Commerce. I move that the committee rise.

Motion agreed to, and committee rose.

Mr. BICKERDIKE moved that the said Bill be referred back to the Committee on Banking and Commerce.

Motion agreed to.

PROVIDENT FINANCIAL ASSOCIATION LIMITED.

On the motion of Mr. Gervais the amendments made by the Senate to Bill (No. 134) to incorporate the Provident Financial Association, Limited, were read a second time and agreed to.

CANADIAN NORTHERN RAILWAY COMPANY.

Consideration of amendment made by the Senate to Bill (No. 58) respecting the Canadian Northern Railway Company.—Mr. Lamont.

Mr. E. M. MACDONALD (Pictou). Perhaps the hon. gentleman (Mr. Lamont) would tell the House whether the charters referred to in this Bill carry with them land grants or not. If my recollection is right this Bill proposes to renew and extend 11 or 12 railway charters under one title. In the committee there was no discussion upon the fact that all these charters were being renewed and extended and it was not made clear as to what roads were being dealt with as a result of this legislation. The objection which this House has always shown towards extending land grants to railway companies should be remembered in this case. The House is entitled to some explanation as to what the Bill involves.

Mr. LAMONT. So far as I know there are no lands grants to any one of these branch lines to which this Bill refers. This Bill passed the Railway Committee and this House some time ago, and the Senate made an amendment to section 4, the amendment setting out the names of these branch lines in extenso.

Mr. HAGGART. Is that the only amendment

Mr. LAMONT. Yes.

Some hon. MEMBERS. Carried.

Amendment read a second time and agreed to.

QUESTIONS.

HALF-BREED SCRIP.

Mr. STAPLES asked:

1. Have applications been made for or on behalf of the following half-breeds: Norman Ouelette, Frank Ouelette, Adeline McIvor, John Boucher, Joseph Delorme, Madame Urbain Delorme, Madame B. Gagnon, P. Ducherne, Charles Pruden, Andrew Gibouche, Miss Rosalie Lesperance? If so, what was the result in each case?

2. Is the government aware if the scrip allowed any of these half-breeds has been purchased by any other parties ? If so, by whom ?

Hon. FRANK OLIVER (Minister of the Interior) :

1. Applications for half-breed scrip were made by the following persons : Norman Ouellette, Frank Ouellette, John Boucher, Joseph Delorme, P. Ducherne and Madame Urbain Delorme.

There is no record of any applications by Rosalie Lesperance or Adeline McIvor.

The applications of Norman Ouellette, Frank Ouellette, John Boucher, Joseph Delorme, Madame Urbain Delorme and P. Ducherne were disallowed. Andrew Gibouche received scrip for $160 in 1876 as head of a family.

No definite information can be given respecting Madame B. Gagnon or Charles Pruden unless names of patents are furnished.

2. Answered by No. 1.

MIDDLE FORK FALLS.

Mr. HERRON asked :

1. Is the Middle Fork falls of the Old Man river located on the S.E. ¼, section 28, tp. 7, r. 2, W. of 5th M. ?
2. Has the government disposed of it by sale or lease ?
3. If so, to whom, on what conditions if leased, what term of years, and price ?
4. If sold, at what price ?

Hon. FRANK OLIVER (Minister of the Interior) :

1. Yes.
2. No.
3 and 4. Answered by answer to No. 2.

PICTOU CATTLE DISEASE.

Mr. E. M. MACDONALD asked :

1. Is the Department of Agriculture pursuing an investigation and making experiments to ascertain the cause of the disease known as the 'Pictou cattle disease' ? If so, when, and under what conditions ?
2. What progress has been made in ascertaining the cause, and has it been determined whether it is contagious or not ?
3. Has any remedy or cure for the disease been found ?
4. If investigation has disclosed, or is likely to disclose, the fact that the disease is caused by cattle eating that weed popularly known as 'Strutting Willie,' would the department favourably consider the proposal to render assistance to secure the eradication of the weed in the districts affected ?

Right Hon. Sir WILFRID LAURIER (for Minister of Agriculture) :

1. The department has, since October, 1903, been conducting an experiment station at Cloverville, county of Antigonish, with the object of ascertaining the cause of Pictou cattle disease.

2. Much valuable information has been secured, and while it would, at present, be premature to make a definite statement, the results of the experiments so far indicate that the disease is not of a contagious nature, but that it is due to the ingestion, under certain conditions, of the weed known as Ragwort, or, locally 'Stinking Willie.'

3. The work at the station above referred to has been almost altogether in the direction of determining the cause of the disease with the hope of being able to devise some practical method of prevention. Incidental experimental work, however, would appear to indicate that benefit may result from the use of certain medicines in the early stages of the disease.

4. The department has not considered the matter.

MAILS—LOWVILLE TO MILTON.

Mr. HENDERSON asked :

1. Who is the contractor for carrying the mails from Lowville to Milton ?
2. What is the distance for each single trip, and how many trips per week ?
3. What is the yearly cost of this service ?
4. Has this contract been renewed recently ?
5. If so, were tenders called for, or was the contract renewed without tender ?
6. If tenders were called for, was the lowest tender accepted ?

Right Hon. Sir WILFRID LAURIER (for Postmaster General) :

1. John W. Colling.
2. Seven and a half miles, six trips per week.
3. $213.22 per annum.
4. Yes, from 1st October, 1905.
5. The price was originally fixed by tender and, as the inspector reported that the rate was a fair one, the contract was renewed from 1st October, 1905.

MAILS—HAMILTON AND KILBRIDE.

Mr. HENDERSON asked :

1. Who is the contractor for carrying the mails between Hamilton and Kilbride ?
2. What is the distance for each single trip, and how many trips per week ?
3. What is the yearly cost of this service ?
4. Was this contract let by tender ?

Right Hon. Sir WILFRID LAURIER (for Postmaster General) :

1. William Small.
2. Fifteen and a quarter miles—six trips per week.
3. $197.
4. Renewed with present contractor from 1st October, 1905. The price was originally fixed by tender and the inspector reporting that the price was a fair one, the contract was renewed from 1st October, 1905.

GRAND TRUNK RAILWAY APPEAL IN RE 4 EDWARD VII., CHAPTER 31.

Mr. LENNOX asked:

Referring to 4 Edward VII., Chapter 31, and the judgment of the Supreme Court that said

Act is ultra vires, and also to the suggestion of counsel for the Grand Trunk Railway Company upon the argument of the matter in the Supreme Court to the effect that there is no limit of time within which the company, if unsuccessful, would be bound to appeal to the Judicial Committee of the Privy Council, and that the provision as to proclamation and bringing of the Act into force is therefore ineffective; and referring also to the fact that this company now states its definite intention to apply for leave to appeal in November next, setting forth reasons for the delay in the meantime:

1. What action, if any, does the government propose to take in the meantime?

2. In the event of allowing the delay proposed, what action will the government take in case the company then fails to apply as proposed, or to take all the necessary steps for having the matter finally, and in due course of procedure, disposed of?

Hon. CHARLES FITZPATRICK (Minister of Justice.) I wish to call attention to the fact that there is an evident misprint in this question. As the question reads it says that the Act was found to be ultra vires. The decision was that the Act was intra vires of this parliament. With that remark I would like to add that the railway company interested, not having made an application during the present sitting of the Privy Council for leave to appeal from the judgment of the Supreme Court have given an undertaking that they will apply at the November sittings. When that question is disposed of, of course it will be the duty of the government to see to it that effect is given to the expressed intention of parliament.

POSTMASTER AT CHELSEY, ONTARIO.

Mr. BARR asked:

1. Is the office of postmaster in Chelsey, Ontario, vacant?

2. If so, at what date did it become vacant?

3. If filled, at what date, and by whom?

4. If not filled, why not?

Right Hon. Sir WILFRID LAURIER (for the Postmaster General). The Chesley post office, Ontario, is not vacant. Mr. Richard Lillico was appointed postmaster on the 6th instant. The office became vacant on the 5th May, 1904, owing to the death of the postmaster.

CONTROVERTED ELECTION.

Mr. DEPUTY SPEAKER. I have the honour to inform the House that I have received from two of the judges selected for the trial of election petitions pursuant to the Dominion Controverted Elections Act, a certificate and report in the matter of the election petition for the electoral district of Nicolet, by which the said petition was dismissed and the sitting member declared duly elected.

MORNING SITTINGS.

Sir WILFRID LAURIER moved:

That, commencing with Wednesday next, and until the end of the session, the House shall meet on that day, and on each subsequent sitting day, at eleven o'clock in the morning; that, in addition to the usual intermission at six o'clock p.m., there shall also be an intermission every day from one to three o'clock p.m., and that government orders shall have precedence at all such sittings, members having still the right to ask questions on Mondays, Wednesdays and Thursdays.

He said: I would like to add the following words which are not in the notice:

And that when this House adjourns on Friday next it stands adjourned until the following day at eleven a.m.

That is to say the House is to sit on Saturday.

Mr. R. L. BORDEN. I presume there are no railway subsidies to come down this session?

Sir WILFRID LAURIER. There are no railway subsidies to come down.

Mr. R. L. BORDEN. And I suppose practically all the government business is now on the order paper?

Sir WILFRID LAURIER. Practically all the business of the House is before us with the exception perhaps of certain resolutions of which I am not permitted to speak at this moment.

Mr. FOSTER. I suppose there would be no objection to, say on Monday, giving time to run through the order paper and wipe off the notices of motion? There are a number there that we would like to get through so as to get the returns.

Sir WILFRID LAURIER. This is Monday, it would do just as well to-day.

Mr. FOSTER. There will be one or two more by next Monday and it could all be done by one sweep.

Sir WILFRID LAURIER. Very well.

Motion as amended, agreed to.

LAND TITLES ACT, 1894, AMENDMENT.

Bill (No. 162) to amend the Land Titles Act, 1894.—Mr. Oliver, read the second time and House went into committee thereon.

On section 1,

Mr. R. L. BORDEN. I do not know that we have had any explanation of what this Bill is.

Mr. OLIVER. Section 1 is merely to say in the simplest terms that the Land Titles Act now in force in the Territories shall remain in force until replaced by a Land Titles Act to be passed by each of the provinces now to be organized.

Mr. R. L. BORDEN. Why is it that you need this in view of the provisions of section 15 of the two Autonomy Bills which we have been debating? There may be a perfectly obvious reason, but I must confess that I do not see it now.

Mr. OLIVER. I fancy the reason is that there has to be not only legislation by the province to take over the question of land titles, but there has to be an adjustment of what is called the assurance fund as between the provinces and the Dominion, and therefore special provision is made in that regard. The purpose of the section is not so much to say that the provinces shall substitute provincial legislation for Dominion legislation as it is to say that the legislation of the provinces shall take effect upon and after an arrangement has been arrived at between the provinces and the Dominion in regard to the assurance fund and other matters.

Mr. R. L. BORDEN. Perhaps the Minister of Justice will tell me what is the position under the Bills we have passed ? I am not very familiar with the Land Titles Act. I presume it has reference to and deals with the transmission of titles to real estate in the Northwest Territories at the present time. Then does it not follow that the legislatures of the new provinces under the provisions of the Bills that we have passed would deal with that subject as a matter of provincial legislation and if that is the case is it not a little inconsistent to say that we shall authorize the Governor in Council to repeal something which the provincial legislatures, according to my view, would have the right to repeal ? Does not this, in effect, repeal pro tanto, section 15 of the Autonomy Bill ?

Mr. FITZPATRICK. At the present time under the Land Titles Act of the Northwest Territories the assurance found is in the hands of the Receiver General. That is a fund which is of course available to both provinces. At the present time the Dominion of Canada is the custodian of that assurance fund, and is responsible for any claims that may be made against it and the intention is to provide for an orderly transfer of the whole of the affairs over to the two provinces so that the matter may be dealt with in such a way that the two provinces may take out of our possession all that fund, we, at the same time, relieving ourselves or responsibility in connection with it.

Mr. R. L. BORDEN. I understand the object. The difficulty is that the language of this section goes a great deal further and authorizes the Governor in Council to repeal legislation as to which we have already conferred jurisdiction on the legislature of each province. The legislature of the province in the future will deal with this matter as a matter of property and civil rights, I suppose ?

Mr. FITZPATRICK. Yes.

Mr. R. L. BORDEN. Well, we are at the same time reserving to the Governor in Council power to deal with the same matter.

Mr. FITZPATRICK. We have to deal with the provision so far as we are custodians of this fund.

Mr. R. L. BORDEN. What I draw attention to is that we give to the Governor in Council power to deal with a subject which we have already entrusted to the provincial legislature of each province, and we do that in perfectly general terms.

Mr. FITZPATRICK. I will look into that.

Mr. OLIVER. It is absolutely necessary that this government having the responsibility of this insurance fund, which is to provide for any mistake which may occur in the transfer of titles, should not have to depend for its control of the fund upon legislation by the province.

Mr. R. L. BORDEN. If the Bill went that far only, I would not have a word to say, but it seems to me that it goes a great deal further.

On section 2,

Mr. R. L. BORDEN. What is the object of this section ?

Mr. OLIVER. This section is to provide for the release from registration of Dominion lands which have been made subject to registration in connection with irrigation works under the Irrigation Act, provided the irrigation proposals fail either to be carried out or fail after having been constructed, in which case all rights revert to the government ; and this is merely a provision that the registration, which in the first place is necessary, shall revert also.

Mr. R. L. BORDEN. You do not give to the grantee any opportunity of defending himself. You apparently provide that the Minister of the Interior may ex parte declare that the rights shall determine. That is a rather unusual power to confer on a department. In a court of justice any citizen of the country is entitled to appear and make his defence against any attempt to deprive him of what had hitherto been his rights. This seems to contemplate an order made ex parte by the Minister of the Interior which shall have the effect of absolutely enjoying a privilege which has hitherto been enjoyed. Is that not rather a stringent provision ?

Mr. OLIVER. That is an arbitrary authority which is provided under the Irrigation Act. This merely follows the terms of the Irrigation Act in so far as the removal of registration is concerned. The first part of the clause states the conditions which under the Irrigation Act result in forfeiture, and the latter part merely says that the conditions being thus and so and the forfeiture having occurred, the registration is released.

Mr. R. L. BORDEN. Do you mean that there is already a provision in the Irrigation

Act which is practically the same as the first part of this section ?

Mr. OLIVER. Yes.

Mr. R. L. BORDEN. Then, why do you repeat it ?

Mr. OLIVER. So that it shall be clearly understood in this Act under what terms the registration shall be released.

Mr. FITZPATRICK. As I understand, the Northwest Irrigation Act provides that any one who wishes to carry on irrigation works may acquire the right to cross lands by simply giving notice, and that notice, when registered in the land titles office, operates as a right. After the Minister of the Interior declares that the right to carry on these works is forfeited, we go one step further and declare not only that the rights shall be forfeited, but that the registration shall be cancelled.

Mr. R. L. BORDEN. If I understand it correctly, by serving a notice you create an easement for the purposes of irrigation, and the right to absolutely determine the irrigation grant in respect of which this easement is created already exists in the Department of the Interior ?

Mr. FITZPATRICK. Yes.

Mr. R. L. BORDEN. And this is to give the Department of the Interior the same power over the easement that it has over the irrigation grant, and to deal also with the registration ?

Mr. FITZPATRICK. Yes.

Section agreed to, Bill reported, read the third time and passed.

SUPPLY—THE SESSIONS OF PARLIAMENT.

Mr. FIELDING moved that the House go into Committee of Supply.

Hon. GEORGE FOSTER (North Toronto.) Mr. Speaker, before the House goes into Committee of Supply, I want to call its attention to a matter which I brought up on Friday last, and which I then intimated to the Minister of Finance I would bring up again on Monday. There has been placed on the table, after the House has been in session for about six months, an estimate which totals up to almost $14,000,000. That is a little more than one-sixth of the total very large estimate for the year. It has not been possible for us to enter upon the discussion of these estimates until to-day. It is proposed, that if possible, this House shall finish its labours within a very few days ; at least that is the hope, that is the assumption; and pressure comes from all sides to effect that end. Under these circumstances, my right hon. friend (Sir Wilfrid Laurier) who leads the government will see and will quite well know,—because he has made most vigorous protests against cases far less flagrant than this during his time in opposition,—that there can be no such thing as fair or efficient criticism and discussion of these items. The matter would be somewhat different if another consideration did not obtrude. Many of these items are exceedingly large, and some of them mean the introduction of entirely new policies, policies which if authorized now will not end with the estimates of this year, or even with the yearly repetition of the amounts which are found here, but which, from the very nature of the case, tend to grow and to involve larger expenditure. Now, as I said on Friday—and I hope I did not say it in too strong a way—there has been no time within the last four months—no extended series of days, at least—in which one of these matters, the militia policy, might not have been introduced in this House, discussed and passed upon. But, for one cause or another, not to be understood by the unsophisticated persons on this side, but possibly quite clear to hon. gentlemen on the other side of the House, that very subject, initiating a most important policy and fraught with grave results for the future of this country, is left unproposed and undiscussed until the closing hours of the session. In the Department of Agriculture new policies are propounded, or extensions of policies are proposed which run, in prospect, into very large expenditures, the needs for which may well be very carefully considered by this House.

Now, see what we are asked to do in merely going over these estimates. We are asked to take up a set of estimates which occupy 24 pages, which have in them 150 main items, and which involve the voting of no less than $13,414,973.45. It may be said that 150 items are not very many. Well, they are fewer than 200, fewer than 500, fewer even than 1,000. At the same time, 150 is a very considerable number of main items for this House to discuss and criticise. But this only tells a little part of the story. These main items are divided, and many of these subitems deal with separate cases of expenditure. I find, in cursory examination, for instance, that there are 98 items to be discussed under public works—capital and revenue expenditures. When you come to harbours and rivers, there are 213 items. One cannot but feel joy at the recent discovery of ports and harbours, and of important national waterways, which, up to the present time have smiled in the sun or have glided along on their way to the ocean unnoticed, but which, in these later days have been lifted from their native obscurity to the attention and favour of this government. And in no province has discovery been more prolific or more extended than in the province of Nova Scotia. There are 91 separate items for harbours and rivers in the province of Nova Scotia. There are 63 for the—I suppose we must assume smaller—province of Quebec,

with its less littoral extension; 37 for the comparatively unimportant province of Ontario; 4 for the tight little Island of Prince Edward; 1 for the province of Manitoba—which has been somewhat recalcitrant in certain matters of late; 1 for the Northwest Territories (for which, by the way, important provision is being made in another sense); 6 in British Columbia, and 1 in the immense Yukon ;—making a total of 213 items of harbour and river improvements, which alone, if we are to be a sensible body and if we are really to look at public money as a public trust and to deal with it upon the principle that it shall be expended only where adequate returns may be expected, would take three or four weeks of the time of this House to thoroughly and properly discuss. Then, there are 25 general items in public works. So we have a total of 336 different items under public works.

Now, I find in these supplementary estimates—which ought to be the very small end of the annual expenditure—under civil government an extra vote of $50,911 : justice, $33,000; agriculture, $148,000; quarantine—which belongs to the Department of Agriculture—$175,000; immigration, $30,000; militia, $1,734,000. For the Intercolonial Railway, including the Prince Edward Island Railway, there are items amounting to $2,204,861; for the so-called National Railway, the Transcontinental, there is an opening item of $2,353,000; for canals, $207,000. These three latter items are on capital account. For canals, on income account, there are items totalling $61,300. On public works —capital accounts $645,000 ; public works —income account—$2,349,000. And let me pause at the last item to say that in the time of the Liberal-Conservative government we were most vehemently denounced for annual expenditure on public works which in no year amounted in total to so large a sum as this. Then in the Marine and Fisheries Department we have certain little extra items. For instance, ocean and river service, $365,000 ; in another department, of the Marine and Fisheries Department, an item of $715,000 ; in still another, $264,000 ; and in still another, $800,000. This makes a total of $1,400,000 of supplementary estimates for the Marine and Fisheries Department alone—all to be charged to income account.

I know and pay tribute to the inventive faculty of the Minister of Marine and Fisheries, but with all his inventive faculty he has not yet found out a way to distribute any of this description of expenditure to capital account. However, he has years ahead of him, he is still young, and with his ingenuity, with these necessities pressed upon him for showing or keeping a surplus, by the vigorous use of his faculties, he will find out sooner or later some way in which a proportion of this may be attributed to capital expenditure, so that the magnificent surplus may still be had. I find that Indians call for $97,000 in this final closing hour of the session; that for lands and miscellaneous in the same department, we have a sum of $528,000 asked for, all but $100,000 of this on consolidated revenue account. Then we come to that bright spot, that oasis in the administrative domain of this government, the Intercolonial Railway, which calls for $1,250,000 on account of consolidated fund expenditure. And all these and some others added go to make the amount, as I said, of nearly $14,000,000.

Now we all agree, it is absolutely impossible there should be any disagreement, that a state of things like this is not conducive to good administration, that it is not consonant with a proper parliamentary check and control over the expenditures of the country ; that there is not in it a single favourable element towards that contribution and consensus of wisdom and experience which a parliament like this, sent from every part of our country, combines within itself for the solution of what is best to be done with the amount of money we have, and to retain reasonable control of it. I do not think the Prime Minister himself, fertile as he is in expedients and in reasons for palliating crimes like this—I do not think even my right hon. friend will be able honestly to get a reason for this kind of thing. I know one thing he will say : You did it yourselves when you were in power. Now may be he will not say that after I have brought it to his mind ; but if he does say that, there are two considerations I would like to urge upon him and the House ; one is that we did it to a very small extent, that we did it against the combined and vehement protest of the right hon. gentleman, then the leader of his party in opposition, and all the men of his party with him. They declared that it was not a proper condition to be imported into parliamentary expenditures and expropriations. Now since these gentlemen have come into power this practice has grown, prevails to a limited extent with all governments, I suppose—there are circumstances which will always make it necessary that there should be some fringes of expenditure to be provided for well up to the very last days of the session, no fair-minded man objects to that. But there is every difference between that and this deliberate keeping back of a vast quantity and a very material proportion, one-sixth of the whole in this case, of the estimates of a great expenditure contemplated for the current year—a great difference I say between these fringes of expenditure which must be provided for, and such an amount as this.

Now what happens ? Here we are. There is no good in bringing down estimates to parliament at all unless it is to ask its advice upon them. I presume we will all agree upon that. No one now assents to that old and long established principle of action, that all a parliament had to do was

to register the decrees of the government, or the executive. We are living in an age where more and more it is theoretically declared and held that public expenditures should be initiated by the government and should be submitted for fair and efficient discussion to the House of representatives who have the final authority in the matter. Now can we undertake any such discussion of these estimates at the present time? That cannot be done. The Prime Minister may say, well, you have got the time ahead of you, go on and discuss. That is very easy to say, but with the country as it is, what is the use of discussing if we cannot gain the attention of the country? Will the Prime Minister say: Well, if the country does not care, why should you? That will not be an answer that any statesman will give, I am sure. But the country, after six months session of a parliament whose days have been long drawn out, inevitably loses interest and spirit foregoes any careful attention of what is going on in the House. Nothing but a tremendous sensation could gather and fix attention of the country upon what parliament would do from this to the time of prorogation. No opposition and no government could carefully discuss and instruct the public with reference to its view as to public expenditures, unless the country were in a condition where it could fairly well take cognizance of the position that we take, and of the views that we set forth. Now that is absolutely impossible. The country is not in the mood to listen to criticisms at the present time, not in a mood to listen to anything which government or parliament may do at the present time. Nor is the House prepared to do it. It is not physically prepared to do it, it is not mentally prepared to do it. So there are just two things that happen. You have to have the opposition roped in with you and to assent to these expenditures, which is unfair; or you simply put the opposition where they must wash their hands of the entire thing, and with reference to such estimates brought down in such a way simply to throw the whole responsibility upon the government. But if physical powers endure so long, it is open to us to have a promise from the government that they will not be guilty in that particular and to that extent again. Well, that is a harsh way in which to make an opposition act. And so, look at it from whatever light you can, it is unfair, it is not according to the principles of good government, and cannot be excused upon any principle whatsoever.

Now this is the situation in which we are. We have to let these things go through sooner or later. There can be no fair discussion or criticism of them. Then we may be told: Well, where is your opposition to them? Where are your resolutions? And where are the particular points that you raised in reference to them? As they are non-existent it may be supposed that there is no basis for them. Therefore the opposition have joined with the government and they have no case before the country. That may be said, and unfairly be said. I do not think I have treated this matter in an unfair way, I do not think I have treated it in a heated way. But in some way or other is it not necessary that these things should be put a stop to? Is it not necessary? And what is to prevent the government just now from crying peccavi! in a good honest tone, and declaring that they never hope to be pardoned again if they do the same thing after having been let off this time. In some way the attention of the House and the country must be called to it; therefore I beg leave to move that for the motion which is now being put, the following be substituted:

> This House desires to enter its earnest protest against the action of the government in keeping back until the closing hours of the session, estimates amounting to nearly $14,000,000, one-sixth of the total for the year, and thus precluding any fair and effectual criticism with respect to the proposed public expenditure, and continuing a practice highly prejudicial to the public interest.

Hon. W. S. FIELDING (Minister of Finance). Mr. Speaker, in so far as my hon. friend (Mr. Foster) asserts the principle that we should all labour to have proposed expenditures brought before the House at the earliest possible time, we need not take exception to his views, but I am inclined to think that he magnifies the difficulties of the situation and makes the matter certainly very much more grave than there is any reason for regarding it. Let us look at the facts. The House has been in session for several months and has been engaged for some considerable time in the discussion of matters which were regarded as of the greatest urgency. We regarded these matters of sufficient urgency to give them priority over all others, practically speaking, and hon. gentlemen on the other side of the House have themselves excelled us in that, because they have repeatedly told us that these matters that have been engaging the attention of parliament were matters of the greatest importance, far exceeding anything we have been dealing with in recent years. Therefore, no apology, I presume, will be needed for having occupied the attention of the House with these great measures, even to the disadvantage of some other things. So I think there has been no particular ground for complaint in that respect. If the House has not been called upon to deal with supplementary estimates until the present time, in the meantime the House has been busily employed, and this has been one of the most arduous sessions within my personal experience.

Mr. R. L. BORDEN. Even if we were discussing some other matters, why could you not have brought these estimates down so that we should have them before us?

Mr. FIELDING. It might not be so easy to bring them down as my hon. friend seems to think. My hon. friend has had no experience in the preparation of estimates. The hon. gentleman who sits beside him (Mr. Foster) has had some experience, and I think we will have to hold him accountable for his own practices of former days rather than for the precepts of to-day. I think we can fairly make comparisons between the present and the time when the hon. member for North Toronto was in office. Although the hon. leader of the opposition may regard this as unimportant, and although he has not been guilty in this sense, I think that the hon. member for North Toronto should be a little more considerate, knowing the difficulties that always arise in bringing down estimates of this kind. Then, it is worth while remembering that although the aggregate of these estimates is considerable, there are few matters contained in them that can be regarded as being new. Most of these are matters with which the House is quite familiar, and if a particular expenditure in a particular case may call for information, the general class of expenditures is well known and the principles involved in them do not require very much time for investigation, because they have been well understood by the House. For instance, we propose to expend several millions of dollars on the Transcontinental Railway. Can anybody say this is a new proposal? Was it not expected that we would come to the House and ask for something to expend on that railway, and has not the House for several years been fully seized of the whole question? Have we not fully considered this policy? Have not parliament, the government and the country decided to go on with the construction of the Transcontinental Railway; and, if so, who shall say, when you come to vote the amount, or ask for the sum necessary to carry on the work for the coming year, that there is anything held back? I think hon. gentlemen will find that there is very little in these estimates that they cannot understand. Of course, if they are determined not to understand, even if we were to stay here for six months, some hon. gentlemen opposite would say they had not sufficient information, but I do not think there will be any great difficulty in obtaining whatever information is necessary to them to understand all these matters. True, my hon. friend from North Toronto is manifesting a lamentable want of knowledge about the geography of the lower provinces. There was a time when my hon. friend would confess to an intimate knowledge of that—when he would hardly speak so contemptuously of these little places in the lower provinces for which appropriations have been made. There was a time when he had some knowledge of the splendid region—

Down where the Skoodawabskoosis
Flows into the Skoodawabskook.

There was a time when the names of places in the maritime provinces were more familiar to my hon. friend than they are at the present time; but though the time has come when it is necessary that he shall speak the names of other places to a larger degree, he should not deny us the pleasure of bearing in mind those so-called little names of the lower provinces. Nor can he expect us to sympathize with the idea he advances, that because these are little places in the lower provinces, therefore, they are not entitled to consideration. It may surprise him to know that they do not require wharfs and piers in the inland districts of Ontario and the Northwest Territories, but it will not surprise other people to be told that wharfs and piers are usually constructed where there is a coast line and that, as there is more coast line in the maritime provinces than in the Northwest Territories, there is more occasion for wharfs and piers to be built. I remember in an inland district of my own province some years ago being honoured by an address presented by the people. The writer of the address was a humorist, and he said that the people in that section would never call upon the government for money for the establishment of lighthouses. He was quite correct. My hon. friend fails to take due account of the fact that in the maritime provinces you have this extensive coast line and that there is need of these improvements. If my hon. friend is of the opinion that these works are of no importance, I want to take exception, and I want to say that these things are as important to these respective communities as are the larger works which exist in other places. The aggregate amount of the expenditures proposed in these estimates for works of this kind in Quebec and the lower provinces is very moderate, and it is because they are set out in detail, because each item is particularized and because each piece of work is set forth, that my hon. friend, measuring entirely by the space which they occupy on the sheet of the estimates, tries to convey the impression that there is something very alarming in these appropriations. Each one of these little appropriations is as useful and as important to the community in that part of Canada as our expenditures in other parts of the country, and expenditures of this kind go as far towards making the people happy and contented in that portion of the country as larger works in other directions; and in these cases you may be able to accomplish a great deal more with an expenditure of $200,000 or $300,000 than in another case with an expenditure of $1,000,000. In regard to the militia expenditures, I understand that there was a postponement of the debate by mutual consent. I understood my hon. friend the Minister of Militia and De-

fence (Sir Frederick Borden) to say some days ago that by mutual arrangement there was a postponement of the discussion, and therefore I do not think we should be complained of because that matter comes in now. My hon. friend also speaks of the main estimates. I would say to my hon. friend that these estimates were prepared in November or December last. The House met in January, and as a consequence the estimates for the coming year were prepared either in November or December. Is it a marvellous thing that since the time these estimates were prepared we should have better information ? Is it a marvellous thing that since last December or November, when we asked to do a certain thing, we should have received new light and later information showing the necessity for a larger appropriation ? Is it a marvellous thing that a work that was viewed with less favour then should present itself more forcibly to the mind of the government now ? Since we have been detained by unusual circumstances to a much later period that usual, and since the House has been busily occupied with other important work, I do not think there is much ground for complaint because of the fact of bringing these estimates down now. I, therefore, say that the hon. gentleman has very little ground to complain, first, because we have been busily employed; secondly, because the main estimates were prepared many months ago ; and, thirdly, because it is always difficult, if not impossible, to foreshadow appropriations, and I appeal to the experience of all governments when I say that you must bring down very considerable sums in the form of supplementary estimates at a late period in the session. I do not know that it would be profitable to go into that question or to make a comparison with the sums that hon. gentlemen opposite have brought down. My hon. friend says that even if they did we should not remind them of it. Well, that is the privilege of the opposition. It is equally the privilege of the opposition to say some foolish things, and it is a privilege that hon. gentlemen opposite have enjoyed to the fullest extent ; but I think that any one who has any idea of the practical working of a government in a country like ours will realize that it is not possible at the beginning of the session to foreshadow all the appropriations that are necessary, and it would not be unreasonable if, towards the close of the session, supplementary estimates had to be brought down.

I admit that the House should have the greatest possible opportunity to discuss public questions of this kind, and if any hon. gentleman desires information I am sure every minister will feel it his duty to give it. I have no doubt that after the lapse of a few-days every item in these estimates can be quite as fairly considered as if they were before the House for a length of time. I do not wish to be understood as opposing the general contention of my hon. friend (Mr. Foster) that it should be the business of governments to try to bring down their appropriations at an early stage of the session, but the reasons that have accounted for the present delay are fair reasons which I think the House ought to accept.

Mr. R. L. BORDEN (Carleton, Ont). The reasons for the delay in bringing down the estimates may be fair, but the Minister of Finance has not mentioned them. In reply to my question his answer was that I never had the privilege of bringing down estimates and did not know how difficult it was to deal with the matter. That is true, but every argument the Minister of Finance has used would be an equally good argument for bringing down the whole $75,000,000 of main estimates just one week before the session closed. The hon. gentleman said we can get all information required, but he knows that after a session of six months the House is weary, and my hon. friend (Mr. Foster) says that the country is weary too. I do not know as to that, but I do know that members on both sides are weary of this protracted session which has extended into a season of the year when the heat has been absolutely oppressive in this chamber. It is impossible to get men to stay here, not to speak of asking them to take an intelligent interest in the discussion of these estimates. The Minister of Finance has given not a word of reason for bringing down these estimates at this time. His friends throughout the country have been saying that the opposition have unduly protracted the session ; but suppose the session ended a month or a week ago these estimates must have gone by the board, if the statement of the Minister of Finance is to be relied upon. There are 605 items here altogether, and I venture to say that nine-tenths of them are not urgent and might just as well have been postponed until the commencement of another session. Any items which are urgent must have been known to the officers of the government and could have been submitted months ago. The Minister of Finance says by way of illustration that the Transcontinental Railway is not a new matter. It is not ; it has engaged the attention of this parliament and the government for two years, and the appropriation with regard to it could have been brought down three months ago just as well as now. The government is not dealing fairly by the parliament or the country in this matter. When we look over the long list of appropriations for rivers and harbours and other similar works it must be conceded that very little discrimination was exercised by the Finance Minister, or else the Department of Public Works must have submitted a most extraordinary sup-

plentary estimate. Does the Finance Minister take the estimates of all these departments and bundle them before Council and bring them down to the House, or does he exercise any discrimination. Has he laid any restriction upon the various departments? Has he exercised his judgment and criticism upon each one of these items, as it is the duty of a Minister of Finance to do in his capacity as guardian of the public treasury? I do not know whether he has done so or not, but I do venture to think that the estimates as they have been brought down do not justify the belief that the Finance Minister has in this respect done his duty.

The session has been prolonged and has reached a period in the summer when members on both sides are very unwilling to remain here—government supporters are willing to remain for the purpose of voting and the members on this side are unwilling to remain for the purpose of criticism. If the session is protracted very much longer I do not know how we can expect the members to remain and attend to public business. I would bring to the attention of the Prime Minister the fact that certain legislation was promised four years ago but never enacted. I refer to the promise then made that there would be a provision inserted in the statutes with regard to the attendance of members of parliament in his House. The lack of attendance during this session has been very disgraceful. There are men in this House who have not shown up to perform their public duty for more than ten days or twelve or fifteen days and that practice is becoming very prevalent. I venture to think that some such measure as that which was discussed four years ago should be placed upon the statute-book without delay. I have already mentioned to some members of the government a suggestion which I will take the liberty of repeating: We might with very great advantage begin the sessions of parliament earlier than we do. In Canada, there are roughly speaking two seasons: the late autumn, winter and early spring season in which little business is transacted by nine-tenths of the people; it is so to speak the leisure season. Then there is the seasoa of spring, summer and early autumn which is the busy season for the great majority of our people. Since I came to parliament in 1896, occasionally the session commenced in January, a few times in February, and at other times in March. It has occasionally ended as early as the middle of May, but the session of 1903 extended until the 24th of October, after occupying a period of 7 months and 12 days. The difficulty about beginning the session earlier, as I understand from the remarks of ministers, particularly of the Minister of Finance, is that our fiscal year ends on June 30 and that the various departments cannot get their reports and accounts ready for parliament earlier than about the middle of January or the first week in February. Is there any special reason why we should not change our fiscal year, making it end on March 31st, as in England, instead of June 30? Does the minister say there is?

Mr. FIELDING. No, there is very much to be said in favour of it.

Mr. R. L. BORDEN. I understood that Sir Richard Cartwright when Minister of Finance beween 1875 and 1878 attempted some movement of that kind. I do not know that of my own knowledge. I would suggest that the government should take into earnest consideration the project of changing the financial year, making it end on March 31 instead of June 30. If you did that what would follow? You could begin the session of parliament early in November and every one of the departments would have a month more after the close of the fiscal year to prepare for the work of parliament than if we begin early in January under present conditions. If you did that you could always bring the session to an end by the 1st of April or 1st of May at the outside. I do not profess to know every thing or even to know very much about the possibility of doing this, but it strikes me it might be done and so we could begin our public duties here in the early part of November and continue those public duties during a portion of the year when there is very little business engaging the majority of people in this country, we would accomplish two good results: In the first place we would be utilizing the time of the people when it is not otherwise occupied and in the next place we could, I believe, undoubtedly bring into public life in this country representative men from all parts of Canada who shrink at the present time from undertaking public duties, and we all know that is a very desirable thing from the standpoint of either side of the House. I venture to make this suggestion now because I might not have an opportunity of doing so before the end of the session. I sincerely trust that the Prime Minister, the Minister of Finance and their colleagues will take the matter into consideration because it is becoming absolutely unbearable that we should, year after year, spend our summers here in the city of Ottawa attending to public business which it seems to me might just as well be transacted at a much more convenient season.

Sir WILFRID LAURIER. With reference to the remarks made by the hon. member for North Toronto (Mr. Foster) and the motion with which he has concluded I have only this to observe at the present moment: I agree that we have brought down the supplementary estimates rather late in the session and that they are of considerable bulk. I understood that the hon. member's complaint was not so much as to the amount

of the estimates, that he reserved his remarks upon that subject; his remarks were directed chiefly to the fact that it was in the sixth month of the session that these estimates were brought down. My hon. friend says that we should all endeavour to make the session as short as possible and I agree that we would be absolutely without any defence at all for bringing the estimates down at such a late period under ordinary circumstances, but I think we can find a very good reason for it, without attempting to take shelter behind the practice of our predecessors which I would not under any circumstances be guilty of as he well knows. I think our action can be defended upon its own merits and not upon the former delinquencies of our predecessors. My hon. friend concentrated his remarks chiefly upon two items, the estimates of the Departments of Militia and Public Works. He made some criticism with reference to the estimates for the Transcontinental Railway and the Intercolonial Railway also. The Intercolonial is one question which my hon. friend knows from experience it is difficult to deal with and I am sorry to say it is not any easier to deal with it at this time than in his time. But I may say that the estimates of the Intercolonial Railway and the Transcontinental would have been brought down earlier but the fact that the militia and public works estimates could not be brought down at an earlier stage. My hon. friend has said with regard to the militia estimates that we are inaugurating a new policy and that is very true. Since we are bringing in a new policy we must give the House an explanation of the reasons which have induced us to inaugurate this departure in our militia policy. As the Minister of Militia, who will bring up his estimates as soon as we go into Committee of Supply, will explain, this matter has been engaging the attention of the government for some time; our mind has been made up for two, three, or even five or six months but we have been corresponding with the imperial authorities to have their final answer as to the proposed policy and I do not know if up to this moment we have received the final answer we are expecting. The Minister of Militia informs me we have not. This has been the reason why we did not bring the matter up before, but finding that the despatches which we expected from the imperial government on this subject to complete the correspondence have not yet come to hand we thought it advisable to take parliament at once into our confidence and explain to them the policy we intend to initiate. This is the reason why we waited before bringing up this matter.

With regard to the estimates of the Department of Public Works, my hon. friend is aware that estimates for this class of work are prepared during the session: the supplementary estimates for the Department of Public Works are always prepared during the session. I need not call the attention of the House to the fact that when we met, the minister in charge of that department was not in his seat; he was away for his health and although we expected that he would soon return to his usual work we were unfortunately disappointed in that expectation. The new minister therefore had to be appointed and to go to his constituents to be elected, which took up four weeks of his time. Under such circumstances the estimates of the Department of Public Works could not be proceeded with. These circumstances, I think, fully explain the delay in preparing the estimates of the Department of Public Works. It seems to me this explanation should be sufficient to satisfy my hon. friend that there is good reason for bringing down the supplementary estimates so late this year.

I may say to my hon. friend that I am as anxious as he is that we should expedite the work of the session and put a stop to the inordinately long sessions of late years. If our hon. friends opposite are willing to join hands with us, and I am very glad to hear the leader of the opposition express his readiness, we ought to have earlier sessions and short sessions. I think we can find ways and means of devising shorter sessions than we have had. The suggestion which has been made by the leader of the opposition with regard to an earlier summoning of parliament is one that has much to commend itself to our judgment. Some two years ago, if I remember rightly, the idea was thrown across the House by a gentleman who is no longer a member of the House, Mr. Boyd of Manitoba, that we should meet in November instead of after New Year's, that is that we should meet before New Year's instead of after New Year's. For my part that is a suggestion in which I altogether concur. I think we could do nothing better than to have it understood by the unwritten law of parliament that this House should be summoned to meet say in the first or second week in November with an adjournment at Christmas, and then go on with the session's work. We would then have a possibility of closing before Easter. I do not think we can do that next session because it will require some preliminary work. First of all we will have to change the fiscal year. That I know is a matter which has engaged the attention of the Minister of Finance for some time, and he looks upon it favourably and it can be absolutely anticipated. There is another reason why we cannot meet early this fall, that is because, as was announced by the Minister of Finance, a commission of inquiry is to sit with regard to the tariff.

But if we cannot meet early next fall, we can meet early after New Year's, and if we do, we can take another step which will make it possible to meet in November, 1906. Such being the motive which impels both sides of the House, I think we can con-

template for next year an early session of parliament and a shorter session than the present one. There is another thing that I would suggest for the shortening of the sessions ; I have discussed the matter informally with my hon. friend on the other side of the House. Early next session we should have a committee to revise the rules of the House, which have not been revised since 1876. With these three reforms—an earlier meeting of the House, an earlier preparation of the government business, and a revision of the rules—I think the session should not at most exceed four months.

Sir FREDERICK BORDEN. I would like to add a few words to what has been said by the Prime Minister, with special reference to the militia estimates. I have read what the hon. member for North Toronto (Mr. Foster) said on Friday evening during my absence with reference to myself and I must say that I was surprised and pained to find the hon. gentleman referring to me in the way in which he did. He made personal remarks which I think were entirely uncalled for, and which were not calculated to improve the amenities which should exist between members on opposite sides of the House. I shall not make any special reference to those personal remarks of the hon. gentleman, but I will hope that in his own mind at least he will amend them. What he said with reference to the militia estimates not having been gone into he repeated to-day. If I understood him aright, he said that there has been no time within three months when we might not have had a discussion of the militia estimates. If my hon. friend has reviewed what has taken place during the session, he could have hardly made that charge seriously. The militia estimates were brought up for the first time on the 1st day of February, and at that time the hon. member for North Toronto took exception to those estimates being gone on with to any great extent because the militia report had not been laid on the table of the House. I agreed to that, and one or two estimates were left over for a full discussion. But there was a discussion at that time upon the militia estimates lasting through some hours and occupying some fifty pages of 'Hansard .' After the 1st of February it transpired that this government had made an offer to the imperial authorities to take over the fortresses of Halifax and Esquimalt, and to accept all responsibility for their control and maintenance. Immediately after that, the hon. member for North Toronto made a motion for the papers with reference to that matter. I informed him then, and from time to time across the floor of the House and privately, I informed him that the correspondence was not concluded. On the 6th of June a question was asked with reference to these papers by the hon. member for Norfolk (Hon. Mr. Tisdale) and I gave him this answer :

The hon. member for North Toronto (Mr. Foster) moved for the papers some time ago and his motion carried. The correspondence was not concluded, and the other day I asked him in the corridor whether he wanted those portions of the correspondence that had already taken place or would he wait until the correspondence was concluded. I would prefer waiting, and he said that was quite satisfactory to him. I have been expecting daily an answer with regard to the expenditure involved and so on, and it would be convenient to postpone the discussion until the supplementary estimates are brought down, when I shall lay all the papers on the table.

Again, I said in answer to another question from the same hon. member :

There will be a large item in the supplementaries to provide for the taking over of these garrisons ; and when that time comes down, I propose to lay all the correspondence on the table and have a general discussion.

Two or three days before Friday night last, when the hon. member for North Toronto made the reference to me of which I complained, I crossed the floor of the House, sat down beside him and said to him : 'I am sorry to say that that correspondence is not yet completed ; I cannot wait any longer; I will bring it down such as we have it, and we will take the matter up and discuss it at the earliest possible moment.' That was said to him within one week. To prove that I have done all in my power in this matter, I will refer the hon. gentleman to the papers which were laid upon the table of the House last Friday and printed. He will see there several telegrams which have been sent at my suggestion by His Excellency the Governor General to the imperial authorities urging them to forward their answer. Here is one of them, dated the 14th of June, from Earl Grey to Mr. Lyttelton :

Referring to my despatch No. 186, Minister of Militia has asked me privately when may answer be expected ; it will help him in statement he wishes to make in House of Commons.

Again on the 23rd of June, from Earl Grey to Mr. Lyttelton :

Referring to your telegram of 8th February, Halifax garrison, recruiting of Canadian permanent force to relieve Royal garrison regiment has gone until now; its accommodation in existing barracks is attended by serious inconvenience. Under the circumstances Minister of Militia asks when Royal garrison regiment may be expected to be withdrawn and its place taken by Royal Canadian regiment.

So I think the House will see that I was doing everything in my power to secure the answer from the imperial authorities which would complete the correspondence and would enable me to take up the discussion. It was agreed on more than one occasion across the floor of the House that the whole question of the militia would be discussed

at once. There is no new matter in the main estimates for this year; they are precisely the same as those of last year, with scarcely any increase. The new policy, if it be a new policy, is involved in the new estimates, and these were kept back in order to have the answer from the imperial authorities.

Now, I think that it is only right, in justice to myself, that I should make this explanation. I think my hon. friend and the House will understand that I am not chargeable with undue delay in this matter. But, while I am on my feet, I may reply to the strictures of the hon. gentleman as to the possibility of having brought this subject to the attention of the House at any time within the last three months. Since March 22nd, last, when the discussion on the Autonomy Bills was begun 73 out of 108 days have been occupied with those Bills. This leaves 35 days during which the militia estimates might have been discussed. And, during these 35 days, there were many discussions of private Bills and public Bills and orders. So that, even if there had not been the difficulty to which I have referred of not having the correspondence completed, there were only 35 days when the government might have brought in a discussion of this matter. Well, let me remind my hon. friend and the House that during that time, four different discussions have taken place upon items of militia estimates. In some of these the hon. gentleman (Mr. Foster) took part; the militia policy of the country has been illuminated by the hon. gentleman himself taking an interest in it. Now, I welcome the hon. gentleman to the discussion of militia matters. In fact, I was beginning to look upon him as a guide, philosopher and friend. You can imagine then, Mr. Speaker, my feelings when I turned to 'Hansard' of Friday last and found the reference to myself of which I have spoken, and which I will still refrain from reading to the House.

So far as my interest in the business of the House in concerned, perhaps I may be permitted to say a word. If interest in the business of the House can only be exhibited by long and frequent speeches, then I do not take very much interest in that business. But I do not think that is the only test to be applied. This is my twenty-ninth session in this House. I first entered in 1874. I have appealed to the electors of my county eleven times, and have been sustained ten times. And this is the first occasion upon which I have been charged with want of interest in the affairs of the House or with remaining away from the House when I should have been present.

Mr. FOSTER. Before you put the question, Mr. Speaker, I have two or three words I wish to say. Some of the arguments advocated by the Minister of Finance (Mr. Fielding) have been well disposed of by the leader of the opposition (Mr. R. L. Borden). It is true that the government ship has sometimes bowled along with all sails set and making the best speed. But there were seasons of calm, when the breezes did not blow, and when the steam power which the government is supposed to apply when necessary might have been applied by bringing down some of these items for discussion. I do not agree with my hon. friend (Mr. Fielding) that there are no new things in these estimates. Of course, we are working on the same lines of expenditure and under the same departmental heads. But almost every expenditure brings its own new questions. We cannot conclude that because the expenditures are on the same general lines, therefore, we are passed the period of discussion concerning them. The Transcontinental Railway, for instance, certainly was known, as the hon. gentleman says. But I do not suppose that he holds that, because we have had a debate upon the Bill and because the policy of building that road has been established by legislative enactment, therefore, the hundreds of millions that are hereafter to be appropriated are beyond discussion, and conference and criticism as to the way in which they shall be spent. To settle a great line of policy for the country is one thing; to dispose of the money to carry out that policy is another thing. Every time that the Transcontinental appropriations are brought up, there must be discussion of the proposed expenditure, its advisability and the manner of carrying it out.

Now, it was not a very extraordinary piece of finesse on the part of the Minister of Finance (Mr. Fielding) when he endeavoured to impute to me the despising the day of small things in the maritime provinces. Such a retort was thought very effective in the debating school of our youth. I have tried it there often myself, as no doubt, my hon. friend has. But, after all, it does not go so far in a House of Commons, or any representative body. The day of small things will never be forgotten by myself, nor will it be by any sensible man. But there is measure to be preserved in all things; and I think that, probably, in these matters due proportion has been somewhat overlooked. Nova Scotia has an extended sea-coast. So has New Brunswick. But, while there are 91 harbour and river appropriations in Nova Scotia in these supplementary estimates, there are only 9 in New Brunswick. And, for Prince Edward Island, which is swept on every side by the sea, there are only 4 harbours which seem to have attracted the attention of the Minister of Finance. I do not suppose that hon. gentleman (Mr.

Fielding) thought for a moment that I did not know that the Northwest could hardly have as much need for harbours and piers as those provinces on the sea-coast. His suggestion on that point was again one of the little effective things used in the debating school; but he must have been smiling inwardly when he used it against me on this occasion in the House of Commons.

Now, with reference to the militia question, I am willing to say that probably it is not one member's business to criticise another member for not being in the House and attending to his duty. Probably we had better all leave that to the constituents of each member. It may be that, in that, I transgressed the rule of good taste and proper debate. I am ready to subscribe to the general principle that, if the constituency will not take care of its member in that respect, it is not much use for me to bother my head about him. As to the papers themselves, everything the hon. Minister of Militia (Sir Frederick Borden) has said about the papers being called for, about his communication with me, and about the papers being brought down, is perfectly true.

Those things took place. There is, I admit, an excuse, perhaps, for the policy of the departments being delayed. But after all the delay, we have not got a final answer. But that is not to say that the Minister of Militia was not looking for that final answer, and that we would not have been pleased to get the final answer. So I have done about as well as I could with reference to these two things. I am glad the Minister of Militia has an abiding sense of my technical military administration; so we will cry quits now and wait till the next case comes up. The Minister of Finance says it is the privilege of an opposition to say foolish things. Out of the experience of the heart the mouth speaketh. It does not need my friend's old colleague and former co-worker, who has lately been elevated to a seat on the bench which I hope he may long live to adorn—it does not need his classical expression to be brought to the mind of my hon. friend to-day to quicken that sense of the foolishness of an opposition, to the effect that the gentlemen who at present occupy the government benches did talk a lot of unmitigated rot during the time they were in opposition.

Now with reference to shortening the session. I do not know of any insuperable difficulty in the way of the suggestions that was made by the leader of the opposition, from being carried out. I daresay when they come to be thought over some objections will crop up that we do not think of at present. But there cannot be any good reason to prevent this House from meeting in those months of the year which are the least disadvantageous to business men, and more pleasant for the work of the session. I believe that will be found somewhere between November and March or April, An objection that always has been brought up when that time was mooted, was the intervention of the Christmas holidays. But it is easy to have a short intermission and then to get back. My experience is this, I will give it for what it is worth to the Prime Minister, he may have more of it and richer than I have had, because I have never been Prime Minister—my experience is this, that the session will, as a rule, be long or short in proportion to the preparation made by the ministers themselves for the business, as they are prompt in their work, and keep their hand continually on the business and push it through. If the members of a Prime Minister's cabinet do not exercise diligence to get their work in order as they ought, you will never shorten the session, it will dawdle on, and in the end it will result in what so many of our sessions do result in. One golden rule for a Prime Minister—I do not know whether the present Prime Minister put it into execution or not—is this: The cabinet minister who does not come up to time and have his estimates prepared when they ought to be prepared, and his work ready for the House when it ought to be ready, fire him. If that were the rule and stuck to, you would either have a great disappearance of cabinet ministers from this government, or you would have prompter business and short sessions. But is it not reasonable to think that if the sensible leader of a government and the sensible leader of an opposition were to put their heads together in order to get business carried on promptly and efficiently, they could reduce the length of the sessions of this parliament to four or five months, at the very furtherest?

Sir WILFRID LAURIER. I will try to do my share.

Mr. FOSTER. No doubt my hon. friend the leader of the opposition will also do his share. I have no doubt the Prime Minister will try to do his share, but I have much doubt with reference to some of his ministers. I am afraid some of them are procrastinators, the Minister of Customs for instance. Now I have no desire to press my motion. I introduced it in order to call the attention of the House, of the government and of the country to what I consider an abuse, to what is admitted to be an abuse, and if it would conserve in any way a better arrangement for the future, I think I should press my motion to the point of a vote. But I am willing to withdraw it after what has been said, and let it go as an expression of our opinion, so far as the principle is concerned, of the necessity for the estimates and the business being brought down more promptly in order that the sessions may be made as short as pos-

sible. Therefore, Mr. Speaker, with the leave of my seconder and of the House, I will withdraw my motion.

Amendment withdrawn.

Motion agreed to, and House went into Committee of Supply.

Militia and Defence—chargeable to capital—for purchase of ordnance, arms, rifle ranges, lands for military purposes, reserve stores of clothing, equipment, &c., and for fitting up rifle ranges, $1,225,000.

Sir FREDERICK BORDEN (Minister of Militia and Defence). I presume it will be more convenient to discuss, so far as can be done in a general way, the whole of the militia estimates, including the supplementaries that were brought down on Friday last. I wish to say, before proceeding with the discussion, that I asked the military members of the Militia Council a short time ago to prepare a memorandum, which they have done, and which to-day was laid on the table of the House, and will be printed. I have placed a copy of it in the hands of a number of members, I am sorry I have not been able to give one to every member. I think over fifty have been distributed to various members of the House. This memorandum deals with the general policy respecting the development of the militia. I think it will be found to be a very interesting document, and I shall have occasion to refer to it during my remarks. I have also had prepared by the accountant who is the finance member of the militia council, a statement in considerable detail of the whole of the various estimates for the current year. I think this paper will also be found of great interest. It has been ordered to be printed, and I shall have occasion to make some quotations from it also.

I suppose it is scarcely necessary, Mr. Chairman, to speak of the objects or the necessity of a militia force. That is a matter which was settled many years ago, and as to the importance of which there can be no question. However, during the last seven or eight years a very much greater interest has been taken in military matters in this country owing to the circumstances that have arisen within the country itself, such as the very great development of the country, and the events which have occurred outside of this country in which the empire has been interested. The war in South Africa has been one and the war which is going on to-day between Russia and Japan is another of the matters which causes all countries, even the smallest and the weakest, to pay more attention to the question of defence than they have done before. I may add too that what is transpiring to-day in the war to which I have just referred is an object lesson which teaches the weaker countries that their case may not be as hopeless as it might seem when they consider the smallness of their population and their comparative poverty. The first object of a militia force is the maintenance of the civil power in the country. Its second object is to defend the soil of the country against invasion. The question may be asked : Is it possible to make a militia force such as ours, which is a purely voluntary force, an efficient one ? Is it possible to make such a force one such as could be relied upon in the hour of trouble, in the event of a severe attack from without or serious troubles within ? Mr. Speaker, I am inclined to think that it is ; in fact, I have very little doubt that it could be made effective. We have in Switzerland an evidence of what can be done in the way of perfecting a militia force. That country has an army, which is a militia army of perhaps 250,000 men, which is said to be one of the most completely equipped in every sense of the word of any army in the world. But, it will be answered that the militia force of Switzerland is one in which compulsory enlistment exists. That is true. That is the essential difference between the condition in Switzerland and the condition in Canada. Anglo-Saxons have not been in the habit of submitting to compulsory military training, and certainly at this moment we cannot consider the question from that point of view. The question then is this : Can a voluntary militia service such as ours be made efficient? I answer that question again in the affirmative. I might appeal to history to prove the truth of my assertion. I will not do more than refer to what transpired in 1776, in 1812, during the Fenian invasion of 1866 and 1870, to what occurred in the Northwest and particularly in the later rebellion of 1885, and I may add the bravery of Canadian troops who served in South Africa also as evidence of the fact that the Canadian people are made of the right kind of material to make an army. It is true that during the earlier times to which I have referred, the militia of this country, or rather of the different provinces which make up this country, were under the guidance of the imperial army. There were garrisons in various parts of Canada in those days and up to 1870 or 1871. The imperial army was the backbone of the force in those times and supplied the staff very largely and the departments which go to make up a properly constituted army. But, during the Northwest rebellion of 1885, the militia of Canada, under the Canadian government, carried out all its work without, I believe, any assistance whatever from the imperial army and succeeded in subduing what at one time certainly was a very formidable rebellion. Now, what are the important things to make the militia effective ? I would say first a sound administration which is the sine qua non and, of course, I must add sufficient money in order to carry the various plans and schemes recommended by the administration into effect.

Recent wars have shown that it is absolutely necessary in order to have an efficient force or an effective army that all the departments and all the branches of the army should exist in peace which would be required in war, that they should not only exist but that they should be actually utilized and used, that in other words in everything except numbers the peace establishment of the army or of the militia should contain within it all the elements necessary to take its place as an effective force in time of war, that it should be, in fact, a nucleus in every respect of all the departments which go to make up the whole and to make an effective force. If I may say so, that is the course which we are endeavouring to pursue in Canada and that is the direction more than any other in which advancement has been made during the last five or six years. I referred a moment ago to the fact that in the earlier part of last century or up to 1870 or thereabouts the militia of this country was dependent upon the imperial force stationed in North America for all the departments, for all the staff for everything except men more or less trained which go to make up the army. We have in recent years, as I pointed out, taken the important step of assuming responsibility ourselves. One after one of the garrisons which were stationed in North America in 1867 at the time of confederation has disappeared until now the only garrisons remaining are those at Halifax and Esquimalt.

We have now taken the last step in completing the assumption of the responsibility on the part of Canada for the defence of this country by offering to relieve the imperial government from the responsibility and maintenance of those two garrisons by supstituting Canadian garrisons and paying the bill for their maintenance. Perhaps this would be a convenient time—as this is really the most important departure involved in the estimates we are now discussing—perhaps this would be a convenient time to discuss what has happened. Those who have read the papers laid on the table of the House—which I regret are incomplete but which are sufficiently complete to justify the government in asking a vote for the maintenance of these garrisons—those who have read these papers will observe that in the Order in Council of the 20th of January, 1905, reference is made to the Colonial Conference (1902) in these words :

It will be within the recollection of Your Excellency that at the Colonial Conference held in Lonodn, 1902, the suggestion was made by the First Lord of the Admiralty and the Secretary of State for War that the various colonial governments should contribute some portion of the cost of the maintenance of the imperial army and navy. The Canadian ministers present, for reasons set forth in the memorandum printed in the report of the conference, expressed their inability to concur in that suggestion. They at the same time acknowledged the propriety of the Dominion, as it advances in population and wealth, making more liberal provision for the purpose of self defence, and they stated verbally the willingness of the government of Canada to assume the responsibility of garrisoning Halifax and Esquimalt, and to this extent relieving the imperial government of the cost of protecting the Dominion. They now deem it expedient to renew this offer in a more formal and precise manner.

It would be convenient to make a brief reference to the events of 1902 at the conference in London referred to in this minute of council. The exact proposal which was made by the Secretary of State for War was not that a sum of money should be directly contributed, but that Canadian troops should be trained especially for service abroad. I will read from the official publication a portion of the remarks of Mr. Brodrick at the conference :

Now your time is of value, and I do not want to enlarge on the many other features which are put before me by my military advisers on this subject, but what I would ask is this : that out of this very large number of men who are only trained in some degree in the colonies we must look, even if it were for only one in four, to be specially trained and to be held in readiness for such an emergency

The emergency referred to was of course war.

I propose that these men should be trained with a liability to over sea service, that they should realize they are a part of the army reserve of the imperial force, that their services are absolutely pledged in the event of the government to which they belong proffering assistance to the imperial forces in the emergency. I would ask that they should receive such training as might be agreed upon between our military authorities and the government concerned, and that they should be fully organized and fully equipped with a view to acting together and drilling together in the battalions or regiments with which they would take the field.

I shall also read from a memorandum by the Canadian ministers concerning defence, which was practically a reply to the statement made by Mr. Broderick and also the statement made by Lord Selborne, who I should state asked for a contribution in money, so that in that respect his proposal was different from that made by Mr. Brodrick. This is a part of the memorandum :

The Canadian ministers regret that they have been unable to assent to the suggestions made by Lord Selborne respecting the navy and by Mr. St. John Brodrick respecting the army. The ministers desire to point out that their objections arise, not so much from the expense involved as from a belief that the acceptance of the proposals would entail an important departure from the principle of colonial self-government. Canada values highly the measure of local independence which has been granted it from time to time by the imperial authorities and which has been so productive of beneficial results both as respects the material progress of the country and the strenthening of the ties that bind it to the mother land. But while, for these reasons the Canadian ministers are obliged to withhold their assent to the proposi-

tions of the Admiralty and the War Office, they fully appreciate the duty of the Dominion, as it advances in population and wealth, to make more liberal outlay for those necessary preparations of self-defence which every country has to assume and bear. That the taxpayers of the United Kingdom should desire to be relieved of some of the burdens which they bear in connection with military expenditure is quite reasonable. Canada, in the development of its own militia system, will be found ready to respond to that desire by taking upon itself some of the services in the Dominion which have hitherto been borne by the imperial government. What has already been done by Canada must give assurance of the disposition of the Canadian people to recognize their proper obligations. In the early years of the Dominion an understanding was come to between the imperial and Canadian government that Canada should expend about $1,000,000 annually on her militia system. From time to time that expenditure has been voluntarily increased, and at present—apart from the special outlay in connection with the maintenance of the garrison at Halifax, the Dominion is expending about $2,000,000 annually on her militia. . . . .

In conclusion the ministers repeat, that, while the Canadian government are obliged to dissent from the measures proposed they fully appreciate the obligation of the Dominion to make expenditures for the purposes of defence in proportion to the increasing population and wealth of the country. They are willing that these expenditures shall be so directed as to relieve the taxpayer of the mother country from some of the burdens which she now bears, and they have the strongest desire to carry out their defence schemes in co-operation with the imperial authorities and under the advice of experienced imperial officers so far as this is consistent with the principle of local self-government which has proved so great a factor in the promotion of imperial unity.

Mr. FOSTER. If I understood the minister aright, Mr. Brodrick's proposition was that the one in four should be held capable for and liable to service abroad, if such were proffered by the Dominion government ?

Sir FREDERICK BORDEN. Yes.

Mr. FOSTER. There was no power outside the Dominion government which could send that one in four abroad ?

Sir FREDERICK BORDEN. No.

Mr. FOSTER. What struck me was that the answer of the Canadian ministers went on the assumption that that would trench on the rights of the Dominion government to complete independence in the matter. I do not take it that Mr. Brodrick's proposition meant that there should be any call by a British minister, but that only if occasion arose in the empire for a contribution to defence by Canada if the Canadian ministry decided to proffer assistance, then, that the men who would go abroad would be a trained body.

Sir FREDERICK BORDEN. That, I think, is in effect what Mr. Brodrick intended.

Mr. FOSTER. Then I did not understand the position taken by the minister, that such a proposition would derogate from the absolute control of Canada over her militia system and her own men.

Sir FREDERICK BORDEN. Of course, under the militia law of this country it would be impossible to organize such a force. It has always been open to anybody in Canada to volunteer for service abroad, but it was not under the militia law of that day, nor is it under the militia law of the present day, competent for the government of this country to compel anybody who may belong to the militia of Canada to serve abroad. It always has to be a question of voluntary service, and we felt—I may say that I felt, at any rate, and I still think—that it would be undesirable to create, even if we could in this country, a special force. I thought it would interfere with the welfare of the militia as a whole to create, even if we had the power to do so, a special service which would receive special favour, which would be ear-marked, to use Mr. Barton's expression, for service abroad. I may add that I have here a report which was submitted to the conference from the War Office by a very distinguished officer, Lieutenant-Colonel E. A. Altham, C.M.G., Assistant Quartermaster General at Headquarters, dealing with the whole question of service in the colonies and what assistance might fairly be asked for from the colonies. In that part of his memorandum which refers to Canada he says :

> It may, therefore, be concluded that the best way in which Canada can co-operate in imperial defence is by making her militia an efficient force. It is more important that the Canadian ministry be strongly pressed to take this reasonable precaution than that they should maintain contingents for general imperial service.

I am reading from the papers relating to the Intercolonial Conference, page 55. Of course, the writer goes on to say, at the conclusion of this paper, that he would hope that a small force might be contributed from Canada, but what I have read seemed to me to have a very direct bearing upon the condition of things here, and seemed really to support very strongly the view which the administration took at that time and still holds.

Mr. BERGERON. Would the permanent force that is now established be the force called out in case of strikes ?

Sir FREDERICK BORDEN. Yes.

Mr. BERGERON. At the expense of the country instead of the municipality ?

Sir FREDERICK BORDEN. The Militia Law of Canada passed last session provides that the permanent force should be called upon first in any case of riots or trouble.

Mr. BERGERON. And at the expense of the government ?

Sir FREDERICK BORDEN. No ; always at the expense of the municipality.

Mr. BERGERON. The same as it was formerly ?

Sir FREDERICK BORDEN. Just the same. There is this difference, though, that in the case of the permanent force there is less expense involved.

Mr. BERGERON. It would only be the transportation ?

Sir FREDERICK BORDEN. Probably. Now, to return to the organization of the militia. The militia of Canada is composed of the staff, the permanent force, the active militia and the reserve militia. The reserve militia exists only in name to-day. It is only the population between 18 and 60 behind the enrolled active militia which may be called upon to some extent, perhaps to a very considerable extent, in the event of severe stress. The staff may be considered to be a part of the permanent force. The staff, I suppose, might be called the thinking part of the organization. The permanent force is the teaching part of the organization. The prime object of the establishment and maintenance of the permanent force is the education of the active militia of the country, while at the same time it performs certain garrison duties. These duties it has been doing for some time now, especially in Halifax and Esquimalt, and a considerable part of the time and attention of the permanent force will be devoted to those purposes. I may add here that a depot of the permanent force would have had to be created in the province of Nova Scotia even if we had not decided to take this step of taking over the garrison at Halifax and relieving the British government from all expense in connection with it.

Mr. TISDALE. Could you not have utilized the regulars for instruction there ?

Sir FREDERICK BORDEN. No ; that attempt has been made on several occasions, and has never worked well.

Mr. TISDALE. You have given up the idea of utilizing them altogether ?

Sir FREDERICK BORDEN. Yes, it has never succeeded. In the same way in British Columbia it would have been necessary to establish a depot so that you may place against the expenditure involved in establishing two, it is true, very much smaller depots in Nova Scotia and British Columbia.

Beginning at the top, on the 1st of February, when we had the first discussion this session on militia items, I discussed very fully the reorganization of the Militia Department at Ottawa and I do not propose to enter into that now at any length. A militia council was organized under the new law which was passed at the last sesssion. That council was organized in November last on the lines very largely of the army council of England. We have always felt it to be desirable that the two forces should act in concert in peace as they would in the event of war, at any rate on this continent. We have thought it advisable to follow the lead of the British army in this respect. I believe, and those who co-operate with me agree, that the establishment of this council has been a very great advantage to the militia. It has promoted co-operation and co-ordination of the different departments, and continuity of service. The difficulty in old times was that different generals came with different views, that nothing was recorded, and that each new general seemed to think that it was incumbent upon him to start out with some new policy ; and expense and sometimes serious loss was involved in these changes. At any rate, the advantage of a consistent development along a certain fixed line of policy was not secured. Now the heads of the four principal departments—the chief of the general staff, the adjutant-general, the quartermaster general and the master-general of ordnance—the four military members, meet with the minister and the deputy minister and the financial member of the council, at least once every two weeks. It has been our custom to meet once a week and sometimes oftener, with, I believe, the very greatest advantage to the country and to the different members of the council. They are in touch with each other, they are able to talk matters over and to exchange ideas, and everything of importance which takes place at that council is made a matter of record ; so that at any future time my successor, whoever he may be, will have the advantage, so far as it is an advantage, of reading what was done, and of learning the reasons which induced us to come to any particular conclusion or to change any particular line of policy.

I have said that the permanent force is the source to which the active militia must look for its training and education. The distribution of the permanent force is a matter of some importance. I said something not long ago about a chain of military depots from Halifax to the Pacific coast, and I was promptly quoted in some of the newspapers as having said that we were going to create a chain of forts. Nothing so serious as that was in our minds. The idea was to have these depots distributed in such a way as to accomplish two purposes—first, in the most convenient way, the education and training of the active militia, the officers and non-commissioned officers, and secondly, to give the greatest amount of service in assisting to maintain order within the country. I referred to the

development of the idea. We had established depots in the east, and when the province of Manitoba was created, a depot was established there. Two new provinces are now being created, and depots will be established there. We have taken over Esquimalt, and so there is a depot in the province of British Columbia.

Mr. SPROULE. What do you mean by a depot?

Sir FREDERICK BORDEN. That is the name of a small permanent force or a garrison.

Mr. SPROULE. I wanted to know if there was anything more than a force—if there were any supplies or ammunition kept at a depot?

Sir FREDERICK BORDEN. Of course, it is the duty of a permanent force, wherever it may be, to guard any supplies which may be deposited at that particular point.

Mr. SPROULE. What I desired to ascertain was whether it was the policy of the government to have in every province a separate depot where there would be a permanent supply?

Sir FREDERICK BORDEN. There is now. At every one of these depots, or adjacent to it in the military district, there is a supply of arms, ammunition and clothing.

Mr. ALEX. MARTIN. Does the minister intend to establish a depot in every province of Canada?

Sir FREDERICK BORDEN. Not necessarily. My hon. friend is so near Halifax that I trust that the depot there will answer.

Mr. ALEX. MARTIN. We have a great deal of confidence in the militia of that province.

Sir FREDERICK BORDEN. With regard to the active militia, it has a strength now of something under 50,000. There has been a considerable increase in its strength during the last ten years.

Mr. FOSTER. Before my hon. friend leaves the permanent force, I would like him to show in what way these depots serve the educational purpose?

Sir FREDERICK BORDEN. The officers of the active militia are sent to the depots to take a course of instruction, which is known as the short course. There are several courses of instruction each year. So far as there is accommodation for the officers, they live in the barracks. If there is not accommodation for them there, they receive an allowance from the Militia Department to indemnify them for their expenses. I may say that the most important problem which the department has to solve is really how best the officers of the active militia can obtain the necessary education. As a rule, they are business men engaged in the active callings of life, and it is very difficult for them to break away from their business engagements and give a few weeks much less months, which would probably be necessary to enable an officer to become thoroughly qualified.

Mr. R. L. BORDEN. The establishment of depots means the distribution of the permanent force in different parts of Canada?

Sir FREDERICK BORDEN. Yes.

Mr. R. L. BORDEN. And, incidentally, these depots will serve as training schools for officers and non-commissioned officers of the active militia as distinguished from the permanent corps?

Sir FREDERICK BORDEN. Yes.

Mr. TISDALE. The only places where there will be anything more will be at the two forts, Halifax and Esquimalt, though these will be used as training schools also?

Sir FREDERICK BORDEN. Exactly. I fear that in my anxiety to avoid taking more time than is absolutely necessary I have failed to make my explanation as full as hon. members desire, and so may have defeated my own object. Perhaps it would be well for me to read from the memorandum which has been handed to me by the military members of the council.

Mr. TISDALE. That is the report the hon. minister has already distributed among some of the members of the House?

Sir FREDERICK BORDEN. Yes.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. STOCKTON. I would like to ask the minister a question. I did not fully understand his explanation this afternoon. I understand that the fortresses at Halifax and Esquimalt are to be handed over to the Dominion authorities, and that the Minister of Militia is to take possession and control of them for the Dominion of Canada. Does that include merely the fortresses, or does it include all the equipments connected with the fortresses; for instance, the guns and stores and all the other military equipments?

Sir FREDERICK BORDEN. Unfortunately, as my hon. friend will have observed from the discussion, the arrangements between the imperial government and this government are not complete. The Canadian government offered to relieve the imperial government from the responsibility of maintaining those two garrisons. Exactly what that means has not been defined, but

I assume that it means that the garrisons at Halifax and Esquimalt will be maintained effectively as garrisons. My hon. friend is aware that these are important naval stations, and he may wish to know how far, in the direction of maintaining them as naval stations, we propose to go. I am not able to answer that question, because it will be a matter of subsequent negotiations. But, speaking in a general way, I should think that the government would expect to expend what money is necessary to maintain and hold against all comers those two fortresses.

Mr. STOCKTON. One reason why I asked the question was this : I understand that since negotiations were entered into between this government and the British government, and since this government had consented to take charge of those fortresses, the works at Esquimalt had been, to a large extent, dismantled by the imperial authorities and a lot of the material sold. I do not know whether the information is correct or not, but I understand that purchasers came all the way from San Francisco to purchase the metal and material of that kind that was to be sold by the imperial authorities before they vacated the fortress. If that is so, we can readily understand that it would be very much better for this government to make the purchase itself, and allow everything to remain in statu quo, than to let the fortress be dismantled and then go to the expense of renewing the equipment.

Sir FREDERICK BORDEN. I have heard such stories as my hon. friend mentions, both as regards Esquimalt and Halifax.

Mr. STOCKTON. I did not understand that with respect to Halifax, only to Esquimalt.

Sir FREDERICK BORDEN. I have seen the same story published in the newspapers with regard to Halifax. General Lake, the chief of the general staff, visited Halifax not long ago and was instructed to inquire into everything connected with that fortress, and he assures me that there is not a word of truth in the story ; and I fancy that there is no truth whatever in the story with reference to Esquimalt. It does not seem likely that the imperial government, after agreeing to hand over these fortresses to Canada, would sell anything that was of use or was required for the purpose of equipment. The British government is in the habit of selling obsolete guns and obsolete equipment to get rid of them. It might be that they wished to get rid of some obsolete equipment in these fortresses, or something of that kind.

Mr. BLAIN. I would like to ask the minister if he has any information with respect to the amount of money that has been expended by the British government in Halifax and Esquimalt, and the probable expenditure per annum that Canada will have to make ?

Sir FREDERICK BORDEN. I would suggest that we had better push on with the statement as rapidly as we can, and later on, when we reach the stage of considering the items, I will try to answer all the questions my hon. friend may desire to put. At six o'clock I was discussing the question of the permanent force as a teaching agency, and was looking for a quotation which I wished to make from the memorandum which I laid on the table prepared by the military members of the council. I will proceed to read that :

> As regards the two former, the establishment of the permanent corps, as at present authorized by Order in Council, is 1,995 of all ranks. The establishment of the active militia as authorized by Order in Council is 46,000, to which should be added the batteries of field artillery and the ammunition park nucleus authorized by special general order of 9th May, which raises the total to about 47,000 men. . . . . On the militia forces of the Dominion as a whole must necessarily fall the two main duties of support to the civil power and defence of the country against foreign aggression.
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> In addition to this duty, which it shares with the whole of the active militia of the Dominion, there falls to the permanent corps, in which term may be included the permanent staff of the militia, the additional duty of being the instructors of the active militia, of maintaining the standard of military knowledge in the country, and of furnishing that permanent element in the garrisons of the forty-five naval bases already mentioned, which is necessary for their protection against sudden attack, as well as for the preservation of their valuable armament and works of defence. This latter duty is in its essence merely a continuation of the duty imposed upon the permanent corps by article 28 of the Militia Act of 1886.
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> In considering these several duties, and in framing a policy with regard to the militia calculated to enable that force to fulfil them, the military members have had to consider all three requirements from the point of view, not merely of what was in the military sense best, but what was also from a national point of view financially and politically possible. . . .
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> In considering the establishment of the permanent force it must be borne in mind that the creation of those, indispensable adjuncts to an armed force which are known as the departments of an army, those branches which are responsible for feeding it, equipping it with munitions of war and stores of all kinds, for paying it and for providing for the care of the sick and wounded, is in the Canadian militia of only very recent date. The same is true of the engineer arm. So far, indeed, both the engineer arm and these departments are almost in their infancy, and if the militia force is ever to be in a condition to take the field and remain there, it will be necessary that proper provision for the instruction of the active militia in these directions should be provided for.
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> As the raising of this force proceeds, it will be necessary, in view of the magnificent distances of that country (that is the Northwest), to provide additional schools of instruction besides the squadrons already mentioned at Winnipeg and the 'Strathcona Horse,' if they are

not to be out of reach of the units they instruct. This increase to the permanent corps, say four squadrons of Canadian Mounted Rifles will of necessity be gradual, for it should, as already stated, follow the development of the active militia and not precede it. At the same time, it should not be forgotten that here, if anywhere the enormous influx of population containing, as it does, a large proportion of aliens brings into special prominence the duty imposed upon the militia of supporting the civil power—a duty which in that country, at first at any rate, would be more efficiently performed by a permanent body of troops.

Now, Mr. Chairman, I will pass as rapidly as possible over several items to which I desire to call attention. Before leaving this question of education I wish to say that the idea of a permanent central camp for the teaching of the officers of the active militia has not been abandoned, that further investigation has been made and that I am informed by the chief of the general staff that he hopes to be able to make a recommendation to me within a few days. He would have done so before this, but he has been engaged visiting the camps of instruction. I believe the choice lies between a site north of Ottawa known as Kazabazua on the railway line and a point to the westward near Pembroke known at Petawawa at either of which points sufficient land can be acquired at a very reasonable cost.

I was about to say something about the active militia but will only say now that we have not given up the idea of obtaining within the near future a force of at least 100,000 men who will be efficient and effective if required. The number of men, however, to be enrolled and trained annually is to be larger than was expected when I last discussed this matter in the House. It had been hoped a year or two ago that perhaps a maximum of 40,000 of the active militia might be sufficient to be expanded into a force of something over 100,000. I am now advised by General Lake that it will be desirable—and those who read the memorandum will observe what he said there—that the force should be between 50,000 and 60,000 in order to ensure its being suddenly increased or enlarged to 100,000.

Mr. TISDALE. I notice there is no recommendation about that.

Sir FREDERICK BORDEN. No. Let me say in regard to the active militia that the experience of the present year has shown that the camps have been, as far as the quality of the men is concerned, the best camps we have ever had, and that the companies have been recruited in most cases to the full strength without difficulty. I hear on all sides the highest commendation of the working of the efficiency pay plan by which, although the pay nominally remains the same as it was before, 50 cents a day, there is an increase beginning with the first year of enlistment of 20 cents and increasing during three years by 50 cents giving the militiaman at the end of the third year and as long as he chooses to remain or his services are required, $1 a day, this extra pay being given only upon the condition that he is efficient in every way, that his behaviour is good and that he has attained certain proficiency in the use of the rifle. I believe that this expenditure although it involves a very large increase in the total vote, is the best investment that has been made in the militia up to this time. The same thing is true of the permanent force. The newspapers have stated that we have had great difficulty in getting recruits. That is not true. On the contrary we have no difficulty whatever and the quality of the material which is offering is very much better than we have ever had before.

Mr. TISDALE. How many attended the camps?

Sir FREDERICK BORDEN. I am not able off-hand to give that information. The camps are not all concluded yet, but the percentage is very large. I understand that the attendance has been between 30,000 and 40,000. I now would like to be permitted in the fewest possible words to refer categorically to some of the improvements and changes which have taken place in the force within the last few years. I have already referred to the Militia Council. I have referred to the creation of higher commands; if not to-day, I have done it on a previous occasion.

The Royal Military College has been discussed during the present session and I have much pleasure in saying that we have now about thirty Royal Military College graduates in the permanent force and we have applications for a large number in addition, so that shortly we will have in the force between forty and fifty officers who are graduates of the Royal Military College—a most desirable result. Then I wish to refer to the creation of departments. The intelligence, engineering, ordnance and navy service corps and the medical services have all been created within the last few years. A militia pension law has been passed and has done very much indeed towards promoting the best interests of the permanent force, because it now ensures to a man who desires to follow a military career a living in the declining years of his life. Then, there are the limit of the tenure of command, the creation of a reserve of officers, higher educational standards for officers and opportunities of attending the staff college in England. A school of musketry has been established, rifle associations have been established all over the country both civil and military, and a school of gunnery is being established in Quebec. In connection with rifle shooting I may refer to the fact that the Militia Council were waited upon a few weeks ago by a deputation from McGill University asking that a special grant be

made to enable students at McGill to meet certain expenditures incident to their taking advantage of the rifle range within four or five miles of Montreal. We passed certain regulations applying to all the universities in Canada and are asking the committee to vote $4,000 to aid students in universities to become proficient in rifle shooting.

Mr. FOSTER. What will that $1,000 do for each one ?

Sir FREDERICK BORDEN. $4,000. When we come to the financial side of it, I will be able to tell my hon. friend exactly. I have an estimate on that point. The Ross rifle factory has been established and although we have not received any of the rifles yet, I believe 1,000 have been distributed to the Northwest Mounted Police and some 500 to the Department of Marine and Fisheries. There are 9,000 or 10,000 practically ready to be issued to the militia, but we have not yet taken delivery of them. I am informed that the rifle is a very good one and compares favourably with any rifle in the world.

Mr. TISDALE. Has it been finally passed on and accepted ?

Sir FREDERICK BORDEN. Yes.

Mr. TISDALE. The improvements are complete ?

Sir FREDERICK BORDEN. Mark II is a decided improvement on mark I, and has been accepted and a special rifle agreed upon as a pattern. An inter-departmental committee has been appointed as between this department and the Department of Public Works for determining the plans upon which military buildings should be constructed. That is resulting satisfactorily, and I have here certain plans which have been adopted for armouries of different sizes, which we hope to be able to apply according to the requirements of the various districts.

Even if it is late in the session I think these matters are of sufficient importance to justify our taking a reasonable time to discuss them. In view of the large and increasing expenditure on the militia I have been trying to ascertain some means by which we would be able to very largely increase the possibilities of getting efficient troops in the event of their being required, without too great expense to the state. It is not a new idea. In England and in Australia efforts are being made to enlist the support of the local authorities in the schools. In Australia the government of the different states have met the Minister of Defence of the Commonwealth and have come to an agreement as to certain things which should be done partly by the local authorities and partly by the central authorities in connection with the education and training of the boys in the schools, in rifle shooting and military physical exercises. We might look hopefully in this direction and I intend—I have done it to some extent already—to communicate with all the governments of the provinces and ask them to send representatives to meet the Militia Council here at a convenient time to see whether we cannot agree upon some basis by which we should adopt some uniform plan throughout Canada for educating and training our youth in the schools. I will not detain the committee to mention the details of my idea further than to say that in the normal schools some provision might be made by which each male teacher of a certain grade should acquire certain military qualifications. I have been much interested in an article in the 'Nineteenth Century' magazine by the Right Hon. the Earl of Meath who is devoting a great deal of intelligent attention to this subject, and as what he says cannot be improved upon I will take the liberty of reading one or two extracts:

> If there be no chance of obtaining conscription, which I do not want, nor of obtaining the adoption of the militia ballot, what is to be done? Something must be done, or it is absolutely certain that if we are at war with any great power we shall find ourselves in a very awkward position. It cannot be said that the present Secretary of State for War has been very successful in solving the problem. The objections to adult compulsory military service may be summed up as follows: (1) the infringement of the liberty of the adult citizen; (2) the interference with his industrial pursuits; (3) the disorganization caused to trade, commerce and agriculture by the withdrawal of men from their prosecution; (4) the moral objection to the housing of large numbers of men in barracks. None of these objections would be applicable to the training of lads during the educative period of their lives. The liberty of boys is always restrained with universal consent. They are not asked whether they will learn to read or write, but are compelled by law to submit to tuition. What would be the hardship of requiring our lads to perfect themselves in another branch of knowledge, that of being able to use the rifle ? It would be exceedingly popular. The lads would like it. They would not attempt to run away from it; they would look upon it as a sport. Such training could be given so as not in the least to interfere with their preparation for the business of life. On the contrary, the discipline and healthy exercise would improve their health, strengthen their moral and physical fibre and add to their professional, industrial or labour value when they attained to manhood and entered on the serious business of their lives. If it be considered inadvisable to make shooting with a rifle a compulsory subject in our schools like reading, writing and arithmetic—though why it should not be placed on the same footing as the latter subjects it is difficult to understand—then at least let it be encouraged by the government and by the school authorities; and let facilities be given to all healthy boys over fourteen to render themselves under proper supervision and guidance, efficient in this manly exercise.
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> If training in youth were made universal, not only would the adult male be capable of taking his place in the ranks, but, what is of

still greater importance almost, the spirit of patriotism and the sense of duty would be quickened in the nation and in time of difficulty young men would rush to the ranks and compulsion would be unnecessary. Moreover, by the training of young men no military caste or profession would be created which would desire war. There are a number of people who are terribly afraid of militarism. Now if I felt in the smallest degree that any suggestion made by me would increase the danger of war I should certainly not advocate it, but I feel perfectly certain that the very reverse would be the case. Foreign newspapers assert that we are much more likely to go to war than any other nation, from the very fact that so large a proportion of our population know that under no circumstances could they suffer in their bodies by war. Whether that be true or not it is difficult to say, but if every lad were trained to arms and taught that it was his duty, if necessary, to volunteer for the service of the country he would think twice before he went to a music hall and waved a British flag with a view to create a war simply and solely for the sake of glory. He would have to take part in that war, and he would think twice before he rushed into it. In other words, there would be much less chance of militarism if our youths were trained to arms and knew in some degree what war meant, with all its horrors. There would indeed, be much less vicarious pseudo-patriotism which calls for war, and which, when blows are struck, is willing to shelter itself behind the professional army. The sense of duty and moral responsibility would be quickened.

What do we see taking place in Japan? The spirit of Japan has been an object lesson to the world and it is to be hoped that we are learning from it. It is not altogether to the military efficiency of the Japanese army, in the sense of great preparations, that their success has been due.

The success has been attained in great measure in the schools of Japan. Ever since the revolution in 1867, day by day 'Bushido,' or the spirit of chivalry, has been taught in the schools—a system which includes the inculcation of patriotism, obedience to authority, and self-sacrifice. The children are taught that the individual is nothing, and that the state is everything.

I have read too within a day or two an article upon practically the same subject by Lord Roberts. I have here a quotation which I shall read.

> I maintain that it is the bounden duty of the state to see that every able-bodied man in this country, no matter to what grade of society he may belong, undergoes some kind of military training in his youth sufficient to enable him to shoot straight and carry out simple orders if ever his services are required for the national defence.

I shall quote further one or two words on this important subject from Lord Roberts in a letter written on the 9th day of June:

> For these reasons I am convinced that it is a matter of the highest importance not only to the regular army and the auxiliary forces of this country, but to the empire at large that rifle shooting should be made a national pursuit and skill with the rifle a national accomplishment in the same manner that archery and skill with the long bow were so considered in the olden days in England. . . . In the United States a national board for the promotion of rifle practice has been formed and plans were approved last year for the encouragement of rifle shooting in the state militia throughout all civil and military schools and amongst all civilian adults by which to quote the words of a circular signed by the Secretary for War, it is proposed 'to educate our young men and boys over fifteen years of age to be an army of expert rifle shots,' and it is believed that, by this way, the United States will within a few years have more than one million men who will have for practical purposes on the line of battle nearly all the requirements for the most efficient soldiers in the world.

And again in the same letter:

> I am satisfied that unless some system of obligatory physical training and instruction in rifle shooting be enforced in all schools and colleges and amongst the youth of the country generally, up to the age of eighteen years, we shall be compelled to resort to conscription in some form or another. . . . The proposed system of rifle clubs and physical training must prove the greatest possible benefit to the nation for they would greatly tend to increase the intelligence of the masses, develop their physique and inculcate habits of order and discipline besides providing a reserve of efficient marksmen.

And so I might go on but I shall not detain the committee. I would commend to any hon. gentleman who is interested in this subject this letter of Lord Roberts which is published in the 'Times' and also in the 'Daily Telegram' of June 12 last.

I propose at the earliest possible moment to have a conference with the representatives of the different provinces to see whether anything can be done in this direction. I intend to do this before another session of parliament comes around. I would perhaps feel disposed to make another suggestion if I were not afraid of being misunderstood and misreported, but I think at the risk of being misunderstood and being charged with having made the statement that I am in favour of conscription, I would go a step further and suggest for the consideration of the committee whether the young men of Canada under the age of 21 who have not yet seriously begun the work of life, might not fairly be asked to give free annual trainings in the militia to the country or an equivalent. If they receive a training which I hope to be able to arrange for in the schools it might not be necessary, but it seems to me that it might not be too much to ask of them that prior to the age of 21 something of this kind should be done by the young men of the country. I think it would only be necessary to put the matter properly before them in order to secure that something will be done which will not cost the country very much money and which will give the country a force the very best it could possibly

have and out of which in the future the militia can be recruited at the very minimum of cost.

Now, Sir, I come to the consideration of what is perhaps next in importance to the considerations which I have already presented to the committee, the question of matériel, arms, ammunition, equipment and so on. While I do not think it would be prudent to go too fully into this, nor required that I should do so, I would like to repeat what I have said in this House before that I will be glad at any time to have any hon. member come to my department or go and visit the militia council and there get any information which we can give him with reference to these matters. There are some matters with reference to the militia, connected with quantities of rifles, ammunition, &c., which it is not desirable to discuss in parliament, but we will welcome to the department representatives from the opposition or supporters of the government who wish to be informed. We will always be glad to give them any information in our power. With regard to artillery, one of the most important arms of the service, I may say this much that we have ordered in England the latest and best gun, the 18½ pounder. These guns are now being manufactured and delivery will begin within a very short time. Then certain 7·5 and 4·7 and 6-inch guns as well as other guns which have been considered to be necessary by the military authorities have been ordered and are in course of being delivered. I have already spoken of rifles. I think there are orders for 15,000 or 20,000 rifles placed with the Ross Company, and I believe that in the course of a very short time rifles will be delivered at the rate of at least 1,000 a month and it is proposed to go on ordering these rifles until such time as we shall have secured sufficient, certainly up to the point of 100,000, and I should hope a much larger number. For these artillery guns, the artillery limbers, wagons, &c., are being manufactured in this country. The ammunition is also being manufactured or will shortly all be manufactured in Canada.

Mr. TISDALE. For these different ranges and sizes ?

Sir FREDERICK BORDEN. For these different sizes. Clothing, saddlery and equipment are all being manufactured in Canada so that at the present moment—and I think this is an interesting fact and one of which we should be proud—of the large vote of $1,225,000 for matériel every cent is being expended in Canada except that for artillery which is manufactured in England. So that out of the $1,225,000 annually expended all but $500,000 is being expended in this country.

Mr. FOSTER. Can the minister give us an idea of the comparative cost of the Canadian manufacture and that of the British army ?

Sir FREDERICK BORDEN. The department usually gives the benefit of the duty less the one-third preference off, as compared with the war office prices. We have in the department the war office prices, and on those the comparison is made, so that the prices are partically set by the department. The Ross rifle costs, under the contract, $25. I understand that the war office price for the new rifle is between $21 and $22, and that the rifle manufactured by the trade at the war office price, with the expense of importation added, would cost very nearly as much landed here as we are paying for the Ross rifle. In the saddlery and clothing, I think there is very little difference.

With regard to the manufacture of larger guns, the committee will be interested in hearing that several large English concerns are looking into the advisability of offering to establish a factory in Canada, and if the requirements of the government were sufficient to enable us to make a contract for a term of years, there is no doubt that a factory would be established. I myself feel strongly that we ought to encourage the establishment of such works in Canada. If we are going to have an effective militia force, we should have one entirely self-contained and self-reliant. No one can tell what accident might arise in time of war. Communications with the mother country might be cut, and if we are going seriously to consider the question of taking the responsibility of our own defence into our own hands, it seems to me absolutely necessary that at the earliest possible moment some such step should be taken. One other thing should be done. Explosives are not manufactured in Canada. The materials out of which cartridges are made are not manufactured here. The government have an offer at the present moment from a party who is willing to take up the manufacture of cartridges at some point to be agreed upon in the province of Ontario, and to bind itself to manufacture explosives—cordite or whatever may be required—for its own factory and for the government factory. I believe that some result will come from this, and perhaps before very long.

Mr. WORTHINGTON. Is it the intention of the department, in addition to the guns mentioned, to supply quick-firing machine guns, such as the Colt gun and the 'Pom-Pom' ?

Sir FREDERICK BORDEN. Yes, some of these are included in the order that has been made—I am not able to say the number.

Mr. FOSTER. I am a little hazy as to how the minister will evolve that 100,000 of an active militia out of the present 47,000.

Sir FREDERICK BORDEN. As I have stated, the advice which I have received is that we should have more than 47,000—perhaps 55,000. The material would be supplied from rifle associations and from men who had passed through their three years' service in the militia and are on the reserve. Of course, it would be necessary to establish a reserve. That has not yet been done, but it will be done; it can very easily be done. In the meantime, we have material in the rifle associations from which we can draw, because the members of all these associations sign a promise when they join them to enlist if required to do so by the government. So that I do not think there would be any difficulty in obtaining the extra 40,000 or 45,000 men, fairly well qualified, good shots, and with some military training, to expand the force to at least double its size.

Mr. CROCKET. I would like to call the minister's attention to a statement made in paragraph 22 of the memorandum which he has brought down in reference to the establishment of a cavalry corps at Fredericton. That paragraph says:

To begin with, the instruction of the mobile mounted forces has to be considered. No portion of the garrison force, already alluded to, can undertake to instruct mounted troops. There already exist two squadrons of mounted men, viz: (1) one squadron of Royal Canadian Dragoons; (2) one squadron of Royal Mounted Rifles, quartered at Toronto and Winnipeg respectively. A large increase has recently taken place in the mounted troops of the active militia along the portion of our frontier south of Montreal. The existing squadron at Toronto is too far removed from this portion of the country to offer a satisfactory centre of instruction. It is therefore, proposed to create an additional squadron of Royal Canadian Dragoons for instructional purposes, and to locate it at or about St. Johns, P.Q., when the latter place is vacated by the infantry school of instruction, for which provision will shortly be made at Montreal. Another portion of the country where the inhabitants make good horsemen, and where there is a long frontier thinly settled to be watched, and hardly sufficient troops available for the purpose, is New Brunswick. It is proposed eventually to replace the infantry school of instruction, removed from Fredericton to Halifax, by a third squadron of Royal Canadian Dragoons, to be located at Fredericton. This addition to the cavalry is not, however, proposed to take place in the immediate future.

I may say that I do not like the look of the word 'eventually,' nor the expression 'not proposed to take place in the immediate future.' When the minister made his statement in reference to the proposed reorganization of the permanent depots on the 6th June, he coupled without any distinction St. John's, Quebec and Fredericton as places at which it was proposed to establish cavalry corps in substitution of infantry corps. On that occasion he said:

I will read the statement I have here because there is no object in keeping it back. This statement comprises the whole of the depots; those proposed as well as those now in existence.

Then follows a statement of the points at which the different corps are established, and at which it is proposed to establish others. The last item is:

Royal Canadian Dragoons; one squadron each at Toronto, Ont., St. Johns, Que., and Fredericton, N.B., the Royal Canadian Dragoons would replace the infantry regiments which are at present in these depots.

Mr. FOWLER. You will continue the depot at Fredericton?

Sir FREDERICTON BORDEN. Yes, but for cavalry instead of infantry.

Later on the minister stated:

I am told that from a strategical point of view Fredericton is an important point at which to have the cavalry station.

I may say that the people of Fredericton took that statement of the minister as a definite announcement that they were to have a calvary depot at Fredericton in the near future. I fear that when they read the indefinite statement that has been made to-day by the minister in this memorandum, they will be somewhat disappointed. The present statement, unlike the statement which was made on the 6th of June, is very indefinite with respect to Fredericton, from which the infantry corps has been removed to Halifax, but it is very definite with respect to St. Johns, Que., where it is proposed to establish a cavalry corps and from which point the infantry has not at present been removed. The infantry depot at Fredericton, I think, was established in 1884, and Fredericton has ever since been recognized as the military centre of the province, and the people there, will, I fear be somewhat apprehensive in view of the very indefinite statement which is contained in the memorandum to which I have referred. I would therefore ask the minister what is meant by 'eventually' and 'in the near future,' and whether it is proposed, in the event of the cavalry corps not being established in the near future, to replace the men who have been removed to Halifax by others in the infantry corps at Fredericton?

Sir FREDERICK BORDEN. I remember perfectly the statement which I made, and I made it in good faith. I do not know that there has been any departure from that intention. I noticed to-day for the first time that particular portion of the memorandum to which my hon. friend has called my attention with reference to the cavalry at Frede-

ricton. While I do not wish to speak positively without consulting General Lake, I think my hon. friend may rest quite easy that until a cavalry school is established there a depot of infantry will be continued. The troops were removed from Fredericton to Halifax because there was an urgency for it, and Fredericton was the nearest depot to Halifax. But I do not wish to speak any more strongly than that. Before the session ends I will be glad to give my hon. friend, in the House or out of it, some assurance upon the point as to what we intend to do. There is a distinction between Fredericton and St. Johns, Que. St. Johns is the centre of a very large cavalry district. There has been great activity within the last two or three years in the enrolment of cavalry regiments, in fact it has always been an important cavalry centre, much more so than Fredericton. But I think that the idea was to make Fredericton a cavalry depot because there were special strategical reasons why the cavalry should be there, and it was also intended to encourage the formation of cavalry in the active militia.

Mr. O. E. TALBOT. Referring to article 27 in the memorandum, would the minister tell me what is the difference between militia artillery and horse artillery.

Sir FREDERICK BORDEN. He means by that the active militia, I suppose. It is desirable to introduce into the permanent corps horse artillery to be used with the cavalry in the Northwest Territories.

I was about to remark that the expenditure upon the militia last year ending June 30, amounted in round numbers to $4,000,000. The estimate for the present year amounts to $1,000,000 more. The memorandum which I laid on the table prepared by the accountant estimates that $150,000 more will be required during the financial year, to train the whole of the militia.

Mr. TISDALE. Does that estimate cover the 5,000 ?

Sir FREDERICK BORDEN. A little less than 3,000. That will have to be increased. Now the increases are first in the pay at headquarters and the district staff. There is an increase of $43,000, partly due to the increased pay, and chiefly due to the large increase in the number of officers. For the permanent corps there is an increase from $475,000 to $1,100,000 an increase of $625,000, chiefly due to taking over Esquimalt and Halifax. As regards Esquimalt, we have been in the habit of paying one-half the cost of maintaining that garrison which was $110,000. This year we are paying $220,000, or whatever the amount may be. The balance is chiefly for the garrison at Halifax.

Mr. R. L. BORDEN. What will be the total increase in he permanent force ?

Sir FREDERICK BORDEN. The total increase this year will be something less than 3,000. But to carry out the plans of the Militia Council, we require an increase of a little under 4,000. We are taking power in the Act to increase to 5,000, because we thought that, as parliament absolutely controls the vote, it was desirable to take sufficient authority to increase the number up to the requirements of the next long term of years. That is why the number was fixed at 5,000. But there is no immediate intention of going beyond 4,000.

Mr. R. L. BORDEN. What is the present number ?

Sir FREDERICK BORDEN. The number at the present moment is about 1,900, and that includes some 300 sent to Halifax. So the nominal number now would be between 1,400 and 1,500.

Mr. R. L. BORDEN. And from 1,900 you are increasing to 4,000 ?

Sir FREDERICK BORDEN. To 3,000 during the present year.

Mr. R. L. BORDEN. Why is it that the increase from 1,900 to 3,000 more than doubles the cost ?

Sir FREDERICK BORDEN. I said 1,900, but this estimate really includes the expense of a portion of this 1,900. The first estimate brought down, which was $475,000, was to pay for about 1,000 men.

Mr. R. L. BORDEN. Then what is the meaning of making the number 1,900 ?

Sir FREDERICK BORDEN. There are now at Halifax about 300 or more of our men.

Mr. R. L. BORDEN. These are newly recruited ?

Sir FREDERICK BORDEN. Yes.

Mr. R. L. BORDEN. So that the real increase is from 1,000 men ?

Sir FREDERICK BORDEN. Exactly.

Mr. R. L. BORDEN. If it is not inconvenient for the minister to explain matters as we go along, I will ask now for an explanation as to the Halifax garrison. It seems that some 300 of our men have been sent there. Have an equal number of the imperial troops been withdrawn, or what is the exact situation ?

Sir FREDERICK BORDEN. I am not able to explain that exactly. But the papers laid on the table include a despatch from the imperial government suggesting that we should begin to recruit immediately, as they do not intend to continue maintaining their regiment at Halifax. That is, they will not keep it up to strength, but as the men's time expires they will allow them to go. That was two or three months ago. We acted on that request. I do not know how many of their men have gone, but I

assume that as large a number as we have sent have served out their time.

Mr. R. L. BORDEN. Who is in command there ?

Sir FREDERICK BORDEN. Sir Charles Parsons. There has been no change yet. I think that really that is where the difficulty comes in. I may say that since the papers were laid on the table a communication has been received upon the question of relative rank. This is being considered by the Militia Council ; and I fancy that when an agreement is reached as to the relative rank of imperial and militia officers the transfer will be made very quickly thereafter. I do not really know the contents of that despatch, not having had an opportunity yet to read it carefully.

Mr. R. L. BORDEN. Of course, what I am trying to get is the practical situation at Halifax—how long it is likely to continue as at present. Sir Charles Parsons has been in command of the imperial forces there. We send down 300 men under command, as I understand it, of Colonel Drury. These replace, perhaps, a certain number of men of the imperial army—that does not matter. But what is the relation at present of Colonel Drury and the men under his command to Sir Charles Parsons and the men under his command ? Is Colonel Drury under command of Sir Charles Parsons ? And are the men under Colonel Drury regarded as part of the imperial force under command of Sir Charles Parsons ? What is the practical situation ?

Sir FREDERICK BORDEN. The practical situation, as I understand, is that the conditions have really not been disturbed. Sir Charles Parsons is still in command of the garrison. But we have sent troops to Halifax under Colonel Wadmore and subject to Colonel Drury, who are co-operating with the imperial forces and are commanded by Canadian officers. So that there are two separate parts of the garrison at Halifax, you may say—one commanded by the imperial authorities and one by the Canadian authorities.

Mr. R. L. BORDEN. I understand that the situation amounts to this : There is an imperial force at Halifax under command of Sir Charles Parsons and also a Canadian permanent force under command of Colonel Drury. But it does not seem to me that any situation of that kind has been contemplated. I suppose there is no practical difficulty, however, up to the present time with regard to the matter ?

Sir FREDERICK BORDEN. None whatever.

Mr. R. L. BORDEN. If it were in time of war, I suppose the senior officer, whoever he might be, would take command ?

Sir FREDERICK BORDEN. Yes.

Mr. R. L. BORDEN. Where are these Canadian troops—in the imperial barracks ?

Sir FREDERICK BORDEN. Yes.

Mr. R. L. BORDEN. If they are in the imperial barracks, and not under command of Sir Charles Parsons, the situation may develop into a comedy situation if we are not careful.

Sir FREDERICK BORDEN. I see no difficulty so long as they are friendly.

Mr. WORTHINGTON. Has Colonel Drury one of the higher commands ? Is he in command of the Nova Scotia district, as in the case of the higher commands in Ontario and Quebec ?

Sir FREDERICK BORDEN. Precisely.

Mr. WORTHINGTON. Would he not then have supreme command in the province ?

Sir FREDERICK BORDEN. He will have. Until the negotiations between the imperial authorities and ourselves—which are entirely friendly—are concluded, we are not insisting on these fine points. We are getting along with the utmost friendliness. We sent the troops to Halifax on the suggestion of the imperial authorities, and we expected that the garrison would be handed over to us by the 1st of July.

Mr. R. L. BORDEN. The men have gone there, and a situation has developed which was not provided for exactly, and the minister is trying to work along with it as best he can until matters are arranged and what has been contemplated is carried out.

Sir FREDERICK BORDEN. The Canadian troops at Halifax are in the same position as the rest of the militia—just as the militia might be sent from anywhere to Halifax or Esquimalt. They are not attached to the imperial troops in any way at the present time. Among the papers laid on the table is a letter, dated 25th May last, from the War Office, which says :

> War Office, London, S.W.,
> 25th May, 1905.
>
> Sir,—I am commanded by the Army Council to inform you that it is observed in the 'Canada Gazette,' G. O. 65, dated 14th April last, certain officers of the Canadian military forces have been appointed to the command of districts in the Dominion.
>
> As it is presumed that the Halifax command will shortly be incorporated in the maritime provinces command, to which Colonel C. W. Drury, C.B., R.C.A., has been appointed, I am to request that the Dominion government may be asked to inform Major General Sir C. S. B. Parsons, K.C.M.G., as soon as his services are no longer required, so that he may return to this country. . . .
>
> I am, &c.,
> (Sgd.) R. H. BRADE.

I infer from that letter that there should be no difficulty; it is only a matter of unfore-

seen delay that the exchange has not been carried into effect. Sir Charles Parsons has manifested the very greatest interest in the Canadian militia during the whole time that he has been in Canada, has been most sympathetic, has co-operated in every possible way and is doing so at this moment, so that we have asked Sir Charles Parsons if he would not remain in Halifax for a few months after the transfer takes place in order to further co-operate and assist our officers in getting full charge, in getting initiated, if I may so speak, into that important command. So, I do not apprehend any difficulty whatever.

Mr. DANIEL. May I ask the hon. minister if the imperial authorities will hand over the armament and equipment of the Halifax defence to Canada without payment or anything of that kind ?

Sir FREDERICK BORDEN. That matter has not been discussed at all, and I think that perhaps I had better not offer an opinion. I feel quite sure we will be treated in a most liberal and considerate manner by the imperial authorities. Some reference in the papers has been made to the stores and things of that kind but no reference has been made to the heavy armament. I should rather think that it might be taken as a matter of course that the armament, being there, would remain. It will probably remain the property of the imperial government but I do not apprehend that any difficulty whatever will arise on that score. As far as the stores are concerned, clothing, equipment or anything of that kind, if we take them over it will be at a fair valuation. If we do not wish them they will be removed by the imperial authorities.

Mr. R. L. BORDEN. Do you mean armament such as the big guns on Macnab's Island, at York Redoubt and the forts on the Dartmouth shore where there are some very heavy and modern guns? Some of these works have been constructed within the last two or three years. I refer particularly to the fort at York Redoubt. Does the hon. minister anticipate that the guns will be left in charge of our troops, that our troops will man these forts and that the defences of the city will be kept practically in the condition they are at present ?

Sir FREDERICK BORDEN. Yes, that is the expectation.

Mr. FOSTER. The same at Esquimalt ?

Sir FREDERICK BORDEN. Yes.

Mr. R. L. BORDEN. It was suggested to me by a very high authority at one time in informal conversation that if Halifax ceases to be a naval base there would be no great object in keeping up the elaborate defences which exists at present, that they have been maintained there because Halifax has been a naval base and that if the base is to be transferred to Bermuda there would be no reason why they should be continued.

Sir FREDERICK BORDEN You will observe in the papers which have been laid on the table of the House a telegram. I think that my hon. friend the leader of the opposition asked some question in the House.

Mr. R. L. BORDEN. I did on one occasion earlier in the session.

Sir FREDERICK BORDEN. Well, on the strength of that discussion a cablegram was sent to the Governor General. It is amongst the papers.

Mr. R. L. BORDEN. Is it amongst the papers which have been furnished to us ?

Sir FREDERICK BORDEN. Yes.

Mr. R. L. BORDEN. I did not observe it.

Sir FREDERICK BORDEN. It is only a brief one and I will read it :

February 24th, 1905.—Referring to your cable of 11th instant, general officer commanding was not authorized to begin dismantling present defences of Halifax.

My information is that there is no intention whatever of abandoning Halifax as a naval base, but that it will be used in a different way from what it has been. I think it is the intention and expectation of the imperial authorities that Halifax shall be preserved in all its strength and importance.

Now I was referring to the increases as between this year and last year and the principal increase is in this very matter of the permanent force. I think I might read an extract from the memorandum prepared by the financial member of the council.

Allowing 1,400 troops for Halifax during 1905-6 the cost would amount to $850,000; and 350 for Esquimalt, about $200,000. After the first year the annual cost should not be so heavy as the charge for barrack and hospital equipment applies to the first year only, while the item for clothing would be reduced to about $80,000, the estimate for 1905-06 being practically a two years' supply of the ordinaary clothing and a three years' supply of great coats and necessaries. The annual cost of say 1,800 men at Halifax and Esquimalt should not exceed the following :

The total is given as $1,000,000.

The estimates of the War Office for Halifax and Esquimalt, 1905-06, the number of troops being 1,389 and 362 respectively, are as follows :

The total is given as £181,168 equal to $881,684. I presume the difference in pay will account chiefly for a difference of some $150,000. The hon. member for North Toronto (Mr. Foster) and the hon. member for Norfolk (Mr. Tisdale), when the estimates were under discussion before, asked for information in regard to this very point. I do not know whether that statement contains all the information they require or not, but I think I was asked in addition to this what

the cost of maintaining the forts in good condition would be. I have a statement here from the chief of the general staff who says that from $100,000 to $125,000 would be the additional amount.

Mr. TISDALE. That is all ?

Sir FREDERICK BORDEN. Yes. I must say, however, in fairness to him that his estimate of the cost is rather higher than that of Mr. Borden, the accountant, but not matterially different. His estimate is from $1,000,000 to $1,500,000 to cover all expenses including maintenance of the forts in good condition.

The memorandum continues:

The actual strength during 1904 was on the average a little over 1,000 all ranks. It is expected that during 1905-6 it will reach nearly 3,000 as about that number will be required. For the month of May last the actual strength was 1,650. There are some proposed additions to the active militia principally in the Northwest. At present there are only the following corps :

12th Manitoba dragoons, 5 squadrons, at Brandon and vicinity.

The Canadian Mounted Rifles, 2 squadrons in Alberta.

13th Field Battery, at Winnipeg

90th Regiment infantry, 8 companies, at Winnipeg.

The proposal now under consideration is to augment this force by the following :

28 squadrons mounted rifles at various points.

1 field battery at Calgary and Edmonton.

14 companies infantry at various points.

1 engineer company at Winnipeg.

1. Canadian Army Service Corps company at Winnipeg.

Field batteries, of which there have been 17 for a number of years, will be increased to 24, and, if the one proposed for the Northwest should be organized, to 25 in number, they will be formed into brigades of two batteries, and eventually of three, with an ammunition column.

A corps of guides is in process of organization. It will consist of intelligence officers to the number of 106 scattered over the whole Dominion, and 79 guides. There will be one chief intelligence officer for each of the higher commands, and one district intelligence officer for each of the 12 districts. Each district will be divided into sub-districts with an intelligence lieutenant and guide in each.

The reorganization of the headquarters and district staffs, which has been carried out to make the organization of the militia similar to that of the regular army, has necessitated new appointments as a result of new branches having been created, and consequently some additional expenditures have been incurred. It must be explained here, however, that the $43,751 shown as an increase for this head of service must be reduced by about $10,000, the value of quarters, fuel, light. forage, &c., which a large number of officers of the district staffs have received in kind hitherto, but for which they will receive a cash allowance hereafter, their pay and allowances having been consolidated in every case.

The principal item in the pay and allowance vote is the pay of the permanent force which for 1905-06 is estimated at $1,100,000, being an increase of $625,000 over the amount voted over 1904-5. This increase is partly due to the 2,000 additional troops which will be required next year and partly to the liberal increase in pay authorized towards the close of 1904, which applies to the whole permanent force. The rates of pay authorized last November for the permanent force are considerably higher than those formerly in vogue as the following table will show :

	At present. Per diem.	Formerly. Per diem.
Lieutenant Colonel..	$5 00	$4 00
Major..	4 00	3 50
Captain..	3 00	2 82
Lieutenant..	2 25	2 00
Sergeant Major..	1 50	1 25
Sergeant..	1 00	0 80
Corporal..	0 80	0 70
Private..	0 50	0 40

In addition, substantial increases are given to those who have three or six years. A sergeant major, for instance, receives $2 per day and a private 75 cents after six years, and other ranks at the same rate.

In connection with subhead (d) of the pay and allowance vote, some explanations are necessary.

The regulations governing allowance to corps of the active militia have been amended. Formerly a regiment of infantry of eight companies, received, if a city corps, $320 for command pay and drill instruction, which amount was paid to the officer commanding the regiment. If, however, the regiment was a rural corps and of the same strength, it received $520, of which $200 went to the officer commanding the regiment, and $320 to the captains of the companies.

The vote for the annual drill has been already discussed. I do not think I should detain the committee further, because there will be a great many questions to ask on the different items, but it is only fair to say that the amount to be voted for the year 1905-6 which is approximately $5,500,000, will need to be increased by at least one-half million dollars more in the near future in order to carry out the plans which are referred to in the memorandum laid before the House. That extra one-half million dollars will be required to increase the active militia up to 50,000, and to make it fully effective, and to increase the permanent force to 3,000. The total expenditure would then be about $6,000,000. That seems a pretty large sum of money but when we look at the increases in other departments of government and consider the general development of the country; then in view of the responsibilities which we have assumed and which belong to us in a country possessing such great natural wealth, and now that we have resting upon us the additional responsibility of developing an immense territory and taking care of millions of population, I do not think it should be considered that that expenditure is too large. In 1867, when the revenue of Canada was $13,000,000 we began with a militia expenditure of about $1,000,0000 or one-thirteenth of the total revenue of the

country. The militia expenditure to-day is $5,500,000, still not more than one-thirteenth of our gross revenue. I do not mean to say that it would be fair to lay down the rule that because we began with a militia expenditure or one-thirteenth of the total revenue we should keep that ratio up, but I do think we should keep it up until we have reached the point at which we have created an effective and an efficient defensive force for Canada. Whether that will be $6,000,000 or more I canont say, but I should think it will not go very much beyond that sum. I do not think that the ratio between one and thirteen as to the revenue, will be increased in the expenditure on the militia. I hope that before we have reached a revenue of $100,000,000, one-thirteenth of which would be about $8,000,000, we shall have reached the maximum which will be required for our militia force.

I wish to make one additional observation with reference to rifle shooting which is one of the most important considerations and one of the best means by which we can get the most for our expenditure in this direction. The whole question of rifle ranges and rifle shooting is being considered by the Militia Council and it may be that I, or whoever is Minister of Militia, will ask at the next session or at some session in the near future for a lump sum with which to construct rifle ranges as rapidly as possible in every part of the Dominion where they are really needed. I should have said that in this expenditure of $5,500,000 we have not included about $800,000 which has been voted to the Department of Public Works for armouries and other militia buildings. We have decided upon certain plans for buildings which I think are of an economical character and which will be sufficient for the requirements. I hope in the near future we will be able to begin a system of building company armouries, or perhaps armouries for two or three companies jointly, so that we will have our militia comfortably housed in buildings which will not only afford store rooms for arms and equipment, but which will have a lecture room where the young militia men of the country can meet in the evenings and listen to lectures upon military or other useful topics.

Mr. WORTHINGTON. In reference to this question of armouries it is very comforting to know that all this is being done, but I would call attention to the fact that the drill shed at Sherbrooke has not yet been attended to and the regiment is in need of it.

Sir FREDERICK BORDEN. I shall call the attention of the Minister of Public Works to it; I think he intends to go on with it. Now I have to apologize for the long time I have occupied and for the very disjointed character of my remarks, but I hope I have been able to give the committee some information and I shall be very glad to answer any questions in regard to the different items.

Mr. TISDALE. I am sorry indeed that from all the circumstances which were explained satisfactorily on both sides of the House at the commencement of this debate made it unavoidable that at this late date we should discuss this subpect which is of such great imortance to the country. It is now an old saying that it is comparatively useless to attempt to interest the House on this subject, but when the discussion as so often happens, is put off until so late in the session, it is still more difficult to interest the House or the public. I do not mean this as a lecture to the House or the minister. We have important changes in the system, we have an enormous increase of expenditure of which I do not complain if it is well applied, and if the object in view is successfully attained, yet it does seem unfortunate that it is always under some disadvantage, at a time of some stress and near the breaking up of the session that we have to discuss militia matters. It is particularly unfortunate this year because of these important departures of which I have spoken from the system under which we progressed reasonably well. We are now confronted with a much larger rate of expenditure with, I am free to admit, the chance of a larger force and a larger establishment. The question of expenditure with which the minister dealt last is probably the most serious one to the country. The expenditure I said was enormous, it is enormous compared with what we always have been in the habit of considering necessary; it is enormous compared with the amount that under the Conservative administration we managed to get along with. That is no reason why it should not be larger if we are sure and certain that we are proceeding on safe grounds and in such a way that we will be certain to get value for our money. I shall not go back further than two or three years ago when during the term of command of Major General O'Grady-Haley, my hon. friend (Sir Frederick Borden) startled us and the country by bringing down a militia estimate of $3,500,000. He was fair enough then to state as he stated to-night that at least for some years he could hold out no hope of lessening the amount brought down for years to come. While I was addressing the House shortly then as I am doing to-night, I agreed that the expenditure, if the minister was certain his scheme as then outlined (which contemplated a force of 100,000 men, including the reserve) with the establishments that were necessary on the lines that have since been carried out, was not unreasonable, but I call the attention of the House

and of the country to-night to the fact that we have over $6,000,000 now asked for, and we must add half a million to that for the buildings which as the minister has said are provided by another department, so that we have over $6,500,000 asked for this year, and I think there is not much hope of decreasing that amount. I will venture the statement that if this scheme is carried out as outlined by the minister in his speech to-night—and I am glad he did not cut it shorter because all of us have not had the advantage of seeing this very full statement of accounts and very good statement from the Militia Council, under the chief of the general staff, of the outlines of the proposed continuation and completion of that defensive scheme for the country—I am not at all prepared to agree with the hon. gentleman that he can carry out the scheme for $6,500,000 or say $6,000,000. He must not forget that it is fair criticism that less than three years ago he was just as confident that the $3,500,000 would be sufficient. I then warned the minister that I was not as confident as he was that with that amount of $3,500,000 he could carry out his plan as he had outlined it providing, with the reserve, a first line of defence up to 100,000 men. I reminded him then as I must remind him to-night that the very fact that he has been given such a free hand, the very fact that his political opponents from the time that he had entered into his office had given him a very easy time in the way of criticism, that both sides in the House had been wonderfully generous to him in the way of granting money, made the responsibility resting on him even greater. Let me say that to-night I am one of those who would cheerfully take the responsibility of voting even this large sum. At the same time I have my doubts whether he has proceeded altogether in a prudent way, with such prudence as I am of the opinion he might go. In a general way the criticism I make is that it seems to me, to use an old expression, to be rather putting the cart before the horse. I shall explain that presently. It is a fair criticism that he has changed and inside of three years is asking for more than double the amount of $3,000,000 which he then said was sufficient. He may be able to give an explanation; an explanation may be possible, but yet it does seem to me that this enormous increase, this continuous increase and change in these schemes is alarming.

It is of a nature that I think the members of the House and the country as a whole ought to study carefully. I am one who am willing to vote liberally for these purposes. I think Canada has always been worth defending. The country to-day is on such a line of expansion, it has such vast capabilities, and its prospects are so bright and sound and prosperous that we can afford to be very liberal in providing for as good a defence system of citizen soldiers as any country in the world should reasonably desire. But my hon. friend stated to-night in his opening remarks, truly and fairly, that under our former system, we were in a position to utilize the services of the trained officers of the imperial army, so that we largely escaped the expenses of a staff and many things of that sort. In other words, we trained our militia by means of the large experience of officers of the British army, so that while we had not the same personal control over them that we might have under other circumstances, our men were always able to give a good account of themselves. I am not going to criticise the new departure further than to say that the minister has, in my opinion, gone too fast, not making sure, as far as human foresight can do so, that the lines he is laying out are sound ones before asking us to go further. And here I want to say that, having offered my criticisms in regard to the Militia Council, and having been overruled, I intend, as far as I am able, to assist, in every fair and reasonable way, to develop that system, to see if we cannot make it better than I thought possible last year. The weakness of the hon. gentleman's scheme, which is now appearing, is that he is building too much on paper. He is providing for staffs of officers scattered throughout the country, without being able to explain to us how, in case of actual trouble, he is going to have the men forthcoming to meet the exigencies of the occasion. If we can create under and in connection with all these auxiliary establishments a force of men trained to shoot and to perform simple military movements, it will be a magnificent force, though the auxiliary establishments and staffs are large enough to defend Great Britain, where a large force of several hundred thousand volunteers exists to-day, besides 500,000 regulars at the least calculation. Now, I think too much money is being expended. I am not going to criticise the details, but am speaking generally. We have these stations, auxiliary forces and establishments on paper. They are crystallized, I think, fairly well; yet how many militiamen have we? We generally muster about 35,000 men in camp. This machinery is sufficient for 500,000. Now, it seems to me that before we are asked to grant $6,500,000 for these 35,000 active militiamen and 3,000 permanent militiamen, the minister ought to show that he can muster the 100,000 he talks about. Three years ago, when this scheme was projected, General O'Grady-Haley, then in command, showed how it would work out. His proposition was, if necessary, to have some conscription. My hon. friend then failed, as he has failed to-night, to show where the men required to make up the full force would come from.

He suggested rifle clubs, and he said the enrolments in these clubs numbered 28,000. I venture to say that he could not muster to-day more than 14,000 or 15,000 out of the total enrolment of 28,000 in these clubs; and any establishment of the militia at all events outside the cities you must discount by at least twenty-five per cent for those who fail to turn up in camp. Not that I think that our boys will funk, but because the changing nature of our population is such that you must allow at least twenty-five per cent off the enrolment for actual muster. I think the hon. gentleman should have gone slower. But first I may say that I commend many things in him. He is active, energetic and earnest as Minister of Militia. He has the courage of his convictions too, especially in coming to this House and claiming the sums of money necessary for carrying out of the work as he thinks it ought to be carried out. He is supported by the patriotism of hon. gentlemen opposite as well as by the patriotism—and the good nature—of hon. gentlemen on this side. I am proud of the House for its readiness to vote money that is deemed necessary for these services; I am proud of the country that the people are willing to pay. I am not inclined to find fault with large expenditures for militia if the money is wisely spent. I am not inclined exactly to find fault with what the minister is doing. But I would warn him and those behind him—for these hon. gentlemen are especially responsible for the actions of the minister—that the people, while they are perfectly sound on this question, and while they are not stingy, are wisely economical and want to get the worth of their money. And we on this side will not be without our share of blame if we allow these expenditures to be undertaken without a fair understanding of what they are required for and a reasonable assurance that the country will be benefited in proportion to the expense involved.

It seems to me that before going into this expenditure, the hon. Minister, of Militia, his Militia Council, and the chief of general staff, should work out into a more practical shape the scheme that they have outlined. They say they want 60,000 enrolled men. Then, they are to have 40,000 more who, in time of stress, will fall at once into line. Now, 100,000 men are not too many in proportion to the establishments of one kind or another that, wisely or unwisely, we have provided for. When I speak of establishments in the sense here intended, I mean these auxiliary institutions which are so necessary in time of war to take care of, to clothe and feed, the army—without which in fact, an army in the field would be useless. It is easy enough, when the money is voted, to organize these establishments for men with the technical training can easily be found for the various departments of work as honourable positions and good pay go with appointment. The minister has been diligent and successful in organizing these several services; the work was both pleasant and easy. He had but to select from many applicants to fill the honourable and well paid positions necessary though he had to select men with special education and training for work both responsible and important. But the minister must be careful not to go too far with this part of the work. Of the six and a half million dollars to be voted, less than a million goes for the training of these 40,000 men of whom I have spoken. We must maintain due proportion in all these parts of the service. The advisability of building all these armouries may be open to question. Of course, sufficient cover for the arms must be provided—that is one of the first things, for too much care cannot be taken of the expensive weapons which the evolution of modern arms has enabled us to put in the hands of our militia. While all the auxiliary services can be organized if the money is there to pay for them, I want to see a more practical assurance that the 100,000 men will be forthcoming, without which all this elaborate organization will be too much. The minister will be obliged to depend upon more than the rifle clubs. These show an enrolment of 28,000. And it is clear that of this enrolment a considerable proportion will not be ready to fall in line when called upon. Of course, the value of these rifle clubs is beyond question, and I think the minister is particularly to be commended for his willingness to work in with the provincial authorities. That discovery or invention is a good one. But, even with the rifle clubs, the minister does not show that he will have the force of men that he has estimated. Let him show that the men will be forthcoming, and I for one will be ready to vote this increased expenditure. But I do think the minister should make his plan more complete before he asks for so much money. The minister's scheme as presented has too much on paper and too little in strength of actual men behind the guns. There is too much spent on auxiliary institutions, though some of them like the school of musketry are invaluable, as nothing can be more important than to teach our young men how to handle a rifle. Of all the lesons that militarism—if you like to call it so; patriotism, I call it—has to teach, there is none clearer than that while the first strong defensive power of a country is patriotism, the second is the spread among the people of the knowledge of how to shoot; and the third is the knowledge of the simplest possible form of formation—easily learned by sensible men like our militia—how to spread out and how to gather together again, for in this knowledge, to a great extent lies the power of victory in a modern battle. Let us have more instruction, but let us have less fuss and feathers. The staff are increasing—and on that point I will talk as

plainly as on the other. I know the officers of the militia and the boys of the rank and file in the country. And I know that if there is one thing more than another that will increase the force and encourage the men who form it, it is a little sympathy from the staff, instead of so many orders. The men of active force ought to be able to feel that the members of the staff are their friends and brothers, instead merely those who order them about and find fault if they fail to do right or as the staff thinks right.

Now I would suggest to the minister that he revise these estimates and cut out unnecessary and not at present required expenditures, and then we will vote them more willingly. Put the officers and men into a condition that they can be mustered. Increased pay undoubtedly will help that along. Let a little more of the money be spent among the chaps who stand behind the guns, instead of upon those who invent the ways of organizing and teaching the troops. In the first place, drill them all. If we are going to have a force that is worthy of the name, have all the corps full, and a few over. I like the letters the hon. gentleman read. I say that in this country under free institutions, where general education prevails, we have a right to expect that our young men will volunteer in sufficient numbers to defend the country; if they do not, we shall have to try some other plan. But I am satisfied that under a proper system there will be no trouble. Then evolve your plans to have your 40,000 reserve. Drill 60,000 men next year in the camps, and that will satisfy members of parliament who think on this subject, and feel on it as I do. I do not object to voting money if it is honestly and successfully expended on the militia. But do not let us have any more politics in the militia, not even a suspicion of politics The Minister of Militia should be strong enough to turn down his fellow members of the cabinet when they attempt to interfere, and if he does that, he will have the support and respect of the members of this House. If we want a successful defence force, that must be done. I have supported the minister sometimes when I thought I was going a little further than I ought. I know he has had difficulties to meet, he has been unduly influenced. I have made these few general remarks because I thought they needed to be brought to the attention of the minister and of the government. If the country once gets the idea that militia matters are not improving, and that we are not working up as rapidly as we should to the consummation the minister has outlined, there will be a row about paying these large sums.

Lastly, I wish to speak of one more matter, with regard to which I am sorry to say I have to disagree with the minister, and that is the taking over of the defences at Esquimalt and Halifax. I look upon that as a serious matter, and I am opposed to it from top to bottom. I think it is a mistake from a financial point of view, and worse than a mistake from other points of view. I am only expressing my own views on this matter, and I intend to express them frankly. I think I would be justified in saying that this action is a distortion of the principle of not voting money unless we spend it ourselves. We must remember that we are a colony of the British empire and not an independent country. Now I see no justification for this action on the principle that the government has laid down, the principle that for defensive purposes any money we vote or men that we arm must be under our own control. I say this action of the government in taking over these fortresses is a distortion of that principle. There are cases where the expenditure for defensive purposes is twofold, imperial as well as colonial, and those two ports afford the best illustration of what I mean. What is the use of maintaining them? Why, it would be folly for us to expend one dollar on either of those ports except as naval bases for the imperial navy, towards which we contribute not one cent. Nevertheless the whole power and strength of that navy is behind us, and we can rest easy, no matter what country may attack us, or I might almost say, no matter what combination of countries may attack us; because on the sea Great Britain is practically the mistress of the world. Great Britain, until very recently, paid all the expenses, manned, built, armed and maintained those fortresses. Latterly we have been contributing something to one or both. The minister explained that the Canadian government did not agree with the British government. The British government was satisfied if the Canadian government would put the militia into proper shape, they would accept that as a sufficient contribution. Then came the question, either at that time or subsequently, of the maintenance of these two forts, and the question of a direct contribution from this country. The British government, as I understand, stated that they would be perfectly satisfied if the Canadian government would contribute £200,000 sterling, $1,000,000 a year, and the British government would continue, as they had done, to keep those forts in a state second to none in the world, paying all the expenses. Our government, as we all know from the minister, declined to do that and said: No, we will take them over and man and maintain them ourselves.

It is a distortion of principle and financially it is a loss to us because I am satisfied that $2,000,000 a year is the very least we can calculate on for the expenditure

that will be necessary. Take the expenditure for arms and equipment of that kind; we must commence right down at the bottom and if in five or ten years from now we have not spent a very large amount of money on that account I would be very much surprised. Whatever government is in power they must keep the defences up to the standard maintained by the British government. The new departure in the British navy has made it more important than ever that these posts shall be well maintained because the navy is in future going to be held largely in depots across the sea and it will only be in times of war that the ships of the navy will be found at outlying ports or rallying places. These two forts will be maintained for what purpose? Not for the defence of Canada alone, but as the two great strongholds on the Pacific and Atlantic ocean for the defence of the empire. I say we cannot defend these posts nor arm them even if we were prepared to spend the money as efficiently as Great Britain could, because to-day forts are used almost entirely to help one navy to defeat the ships of another. The day has passed when forts are used for anything else unless it may be in the case of a fort like Port Arthur where millions of pounds and hundreds of thousands of men were engaged in making it impregnable. It would be better for Canada and better for Great Britain that the defence of these forts should remain in the hands of the imperial authorities because Great Britain would know of her own knowledge what amount of money was spent for the changes in projectiles and in the great guns, and we know how rapidly they are advancing in these respects and the immense expense which it involves. Then Great Britain has the advantage of men trained in the larger school of knowledge and experience. I say it is little Canadianism on our part to be afraid that we are not asserting ourselves properly if we join hands with the mother country and contribute with the British government towards the maintenance of these defences, allowing them to take over these forts and defend them. In the second place an important consideration is the economy of it because of the fact that there would be $1,000,000 saved for our militia and other purposes. Lastly, this new arrangement destroys the last link of the connection that has been so long maintained on this continent with the British army and the British navy. I have received a letter from an old militia officer who like myself has been long retired from the service, who, unlike myself, has been a very strong reformer and supporter of hon. gentlemen opposite and I will read a few words from it in regard to this very matter. I want to tell hon. gentlemen opposite that there is a very strong feeling throughout this country in opposition to this arrangement as far as I have been able to gather it. People have not been shouting about it but thinking men are not favourable to it. Last year there was a difference of opinion. The hon. Minister of Militia and Defence thought he was right in regard to the Militia Council but a great many people doubted it and they also differed from the view of the hon. minister in regard to taking over these defences because they look upon these stations as depots of the empire. The defence of Canada is more important to us than it is to Great Britain but the defence of Great Britain and the empire is more important to them and to Canada than anything else, and to say that to join hands with Great Britain in the defence of these important posts, the only ones on this continent, on the Atlantic and the Pacific, is derogatory to the independence of this great colony is something that I cannot understand. I do not believe in the policy of the hon. gentleman on this question, and I am satisfied that the people of the country will not agree with that policy. Now, this gentleman writes:

> It is a long time since you and I had either interview or correspondence re militia——

I may say that he dates back forty or fifty years ago, the same as I do in the militia service of this country. He is a retired officer.

> —so I hope a few lines on the new policy will not be out of place. As far as I can understand both the new Bill and the proposition in regard to Halifax and Esquimalt, I hope every loyal British Canadian in the House will oppose both for two reasons; first, Canada has no force fit to replace the present garrisons, and the country has not been told or given an idea of the cost of maintaining the works at the two fortresses in their existing state of efficiency, nor the cost of the up-keep of the new garrisons if the exchange is effected, which I hope it will not be, for that brings up my second reason, viz.: That it will be a bad day for the feelings and loyalty of Canada when it is known that there is not a Union Jack on a flagstaff, nor a British soldier or sailor in the Dominion. Then comes another point—the increase of the permanent corps to fill their places. I am surprised that Dr. Borden was not more considerate for the feelings of the Rev editor of the 'Globe,' who, when Lord Dundonald proposed the enrolment of the very number advocated by the Militia Council had daily fits of frenzy and convulsions induced by Lord Dundonald's militarism.

There is an expression from an old reformer and an old officer. They are my sentiments also and I agree with him when he says that it would be a bad day for Canada when this charge takes place. I would not like to see the day when the Union Jack would no longer float from a flagstaff here. We have our Canadian flag, it is true, but we will no longer have the British soldier. I believe, as I have had occasion to say before, that there is no material for a fighting force to be found anywhere in the world better than the Canadians. I believe also that the

people of Canada are too large minded to have any idea of their self-importance being hurt by leaving the control of these depots to Great Britain and joining with her in the expenditure. I think we would be glad of the opportunity. We are too large-minded to believe that we have the knowledge or will have for years, whatever our military attainments may be at the present time, and with the education imparted in our schools they will improve, there is no doubt, but at the present time we have not the experience or the knowledge or the opportunity nor are we able even to go to the expenditure that the imperial government would necessarily assume in the defence of these ports. In conclusion, I say that this proposal is another blow at the joint defence of the empire by Canada and the British army and the British navy. I quite agree that our participation outside of Canada should be voluntary, but we must know that even if we put our whole population under arms we would be nowhere if we had not the British navy and the soldier to fall back on. We adopt the British uniform with pride, we consult the British war office and endeavour to get the best of their men to teach us; we should have a close union with the mother country in the defence of the empire. If I gave the name of the old veteran whose letter I have read it would astonish some of you, and I join with him in the statement that it will be a sorrowful day for Canada when the Union Jack and the uniform of the last British soldier disappear from Canada.

Mr. SPROULE. I shall not say much on this subject because I am not a military man. I can only speak from the standpoint of the man on the street to whom the Minister of Finance has alluded more than once in another connection. It is interesting to one who has been in this House for some years to remember the criticism made by the Liberal opposition on the militia expenditure when the Conservative party was in power, and to compare it with what the Liberal government is doing to-day. I remember when the Liberals used adversely to criticise an expenditure of $2,250,000 on our militia, and I remember how they declared that we were a peace loving and an agricultural people and that the cities were driving us into this extravagant outlay. I remember how they declared that militarism was a detriment to the progress of the industrial life of Canada. But, since the Liberal government came into power the militia expenditure has increased from $2,413,000, to, we may say, $6,000,000. Inside of ten years there has been an increase of about 300 per cent, and yet the political predecessors of the men who now support the government, denounced an expenditure of two and a quarter million dollars while the Liberals of to-day sit there calmly voting $6,000,000, and think it is all right. I do not wish to imply that I am absolutely condemning the defence scheme the minister has mapped out, or the expenditure proposed, because I believe that as time goes on we must in the fulfilment of our duty recognize that there should be an increased expenditure on our militia. I am merely referring to the unfair criticism made by the Liberal party against the Conservative government which expended only one-third of the present appropriation. The principle of making militarism part of the curriculum of high schools or colleges I do not altogether approve of. There is quite enough now to attract our young men from the farms without adding to it what will undoubtedly be an additional attraction. We must also remember that it is from the agricultural and industrial classes that we hope to draw our best men in the hour of need, and that class will get little benefit from the expenditure of this money, because in the main not more than ten or fifteen per cent of these young men ever get to the high schools or colleges—perhaps not more than eight per cent go to colleges. I see that the minister is smiling at that.

Sir FREDERICK BORDEN. I was smiling at something else, but I may say that it was not intended to apply the scheme simply to high schools. It will be applied to all schools so far as it can be and at the earliest age possible.

Mr. SPROULE. That would remove part of my objection, but there still remains the important consideration that this would be another attraction to take the youth of our country off the land. Civilized communities generally are now making an effort to keep the young men on the farms, and this proposition will I fear militate against efforts in that direction. I agree with every word said by the hon. member for Norfolk (Mr. Tisdale) in regard to the scheme under which we propose to take over the defences of Esquimalt and Halifax. I consider that a very unwise proceeding. These forts are not alone for the protection of Canada in the east and in the west, but they are outposts of the empire; they afford protection to British commerce on the high seas and the very fact that Britain has one of these outposts on the Atlantic and another on the Pacific, always in touch with the imperial army and navy, through which means warships can be readily brought into communication with them, is a stronger deterrent to those who might contemplate attacking us than could possibly be any scheme under which Canada would alone undertake the control of these fortifications. There is a great deal in what was said by my hon. friend (Mr. Tisdale) when he referred to the fact that the constant improvements in armament which require ever increasing expenditure, could better be looked after by the imperial army than by us. If we are to keep pace with these always changing

devices in the art of warfare and defence, it will cost us a great deal more money than the ministre has foreshadowed to-day. In that regard the scheme is defective. I would be much more in favour of giving the contribution asked for by England to support these stations, than I would be of adopting the policy which the government proposes. It is true that we would have no voice in the expenditure of that $1,000,000 a year, but if others can expend that money to at least as good advantage as we can it is not unreasonable that they should do so, so long as they are a part of the British empire. I think our money wou'd be spent to better purpose, and that we would be much more in touch with the imperial forces and with the British empire at large than we possibly could be under the scheme which the minister and the government now submit.

Then I do think as well that this will indicate to the outside world a little warning of our patriotism. I would feel disposed to go a little further than the minister has proposed to go. He intimated, I believe, that at the Colonial Conference the first proposition of England was that we should have a certain number of men to go to any part of the world to fight the battles of the empire. That is exactly my view of it. I say that the strength of the empire consists of the aggregate of her elements combined and she will not afford the same strength against the warring elements of the outside world if those elements are divided into a hundred centres as she would if you concentrate the forces of these hundred centres into one, and the knowledge the world would have of our system, that we might on very short notice transport our contingents from every colony to any part of the world where the empire was engaged in defending her flag, would be a deterrent against attacks on the flag and a powerful influence in controlling nations that might be disposed to attack some part of the British empire which they thought comparatively weak or helpless or equipped with an inefficient military system. I think that the day the British flag is hauled down at Malta or Gibraltar or anywhere else that day will be equivalent to its being hauled down in Canada, and so long as we are a part of the British empire we ought to be prepared to uphold that flag in any part of the world. If we are doing less than that we are doing less than our duty. Although I am not in any sense a military man and know little about military affairs still I give these as the views and sentiments I entertain in regard to the most efficient expenditure of money for military purposes and the maintenance of the most efficient force we can possibly keep up.

Mr. WORTHINGTON. I would ask the minister what provision, if any, exists for granting the indemnity in case of casualties in camps of instruction? I know there are certain regulations authorizing courts of inquiry, medical boards, &c., but I would like to know if there is any fixed indemnity for the family of a man who loses his life in a camp of instruction. I ask this because a trooper of the 13th Scottish Dragoons was killed at La Prairie camp last year. I understand representations were made to the department and more or less correspondence indulged in, but as far as I know without any result. Another casualty resulted at La Prairie this year; a trooper of the 7th Hussars was run over and killed. If there is no provision of the kind I mention would it not be wise to fix a standard, a certain amount to be paid in case of death while in camp of instruction?

Sir FREDERICK BORDEN. I think I know the case to which my hon. friend refers. A board I think investigated that case and a report was made. I do not think it was a case that would warrant us in asking for a vote. Matters of that kind have to be dealt with by a vote of parliament, there is no other way to do. In this particular case the young man's father and mother were both living, and it did not appear that any one was dependent on him. Not only that, his life was insured and his father received the benefit of that insurance so that after looking carefully into the question and all the circumstances, which were very sad, and looking at it with as sympathetic a view, as I could, I did not feel that we were justified in asking parliament to vote any gratuity to the young man's family.

Mr. WORTHINGTON. I would like also to ask the minister in connection with the personnel of the provincial commands whether the allowance granted to the principal medical officer of one of these commands would interfere with his seat in the House of Commons, that is his accepting of an allowance in connection with the position of principal medical officer? As the minister is aware there has been a little discussion on this matter, and it has been referred to the Department of Justice and the minister and the Deputy Minister of Justice have given it as their opinion that a principal medical officer can sit in the House of Commons and draw that allowance. It is mentioned as an allowance and in my opinion the case would be exactly the same as any regimental commanding officer who receives an allowance for the care of arms, accoutrements, &c., and I would like to know whether any definite decision has been come to by the department, and if not when such a decision can be arrived at and when any medical officer situated in that position will be informed as to the result of that decision.

Sir FREDERICK BORDEN. One day last week the leader of the opposition asked for papers with reference to this case and as my hon. friend from Sherbrooke was not in the House at three o'clock I sent the papers to the leader of the opposition. I am not

able to give my hon. friend an answer beyond what is there, but I am quite prepared to say, speaking for myself, that I cannot see any reason why it should not apply to the case of a surgeon who happens to be a member of parliament. The idea of the $350 was to reimburse the surgeon not for his time but for his actual expenses in connection with the position. He goes to camp we will say twelve days out of the year and during that time he is paid, but during the whole year the principal medical officer is liable to be called upon to do services of various kinds in connection with the military duties of the district in which he lives and while technically under the law he might not be able to accept the $350, I cannot see in all fairness why he should not be allowed to receive that because he is doing the same kind of work in connection with his duties as a man who is not a member of parliament does. I am sorry the Minister of Justice is not here because it is really a matter more for him than for me.

Mr. R. L. BORDEN. It is a matter more for the Minister of Justice perhaps. The papers which were brought down indicate the opinion of the Department of Justice. It would be unfortunate I think to place in the militia regulations any provision which would interfere with the presence in this House of men who are active in the militia. The conditions of to-day are very different from those twelve or fifteen years ago. There were in the House at that time more men connected with the active militia than there are at present, and the discussions on military matters were participated in by more men of practical experience then they are to-day. I have no doubt that circumstance will be recalled to the Minister of Militia when he considers that subject.

We have before us the opinion of the Deputy Minister of Militia on this question, who seems to have been inspired with a very sincere and earnest belief from the commencement that the hon. member for Sherbrooke should cease to act as principal medical officer and should be placed on the retired list by reason of this very provision. In order that no injustice may be done to that gentleman, let me read his communications and place them on 'Hansard —I am reading from the documents brought down this afternoon. The first is a communication of the 7th of November from Col. Vidal for the general officer commanding the Canadian militia to the Deputy Minister of Militia and Defence, which is as follows :

1. Lieutenant Colonel A. N. Worthington, A. M. C., is principal medical officer for military district No. 6.

2. As principal medical officer he receives an allowance of $300 per annum. (See paragraph 903, R. and O.)

I may say that this paragraph No. 903 R. & O. was published in the 'Gazette' on the 28th of October, at the time of the recent campaign, and a few days before the last general election :

3. At the recent election, this officer was elected member for the city of Sherbrooke, and a ruling is now requested, for the information of the Director General Medical Services, as to whether he can, under such circumstances, retain his position as principal medical officer.

(Sgd.) B. H. VIDAL, Colonel,
for Officer Commanding Canadian Militia.

The next communication is from the Deputy Minister of Militia to the officer commanding the militia :

The Officer Commanding the Militia.

Under the Revised Statutes of Canada, chapter 11, section 9, subsection (a) this officer would be disqualified if he should accept pay or other emoluments as P.M.O. Subsection 4 of the same section provides that if it be stated in his commission or other instrument appointing him that the appointment did not carry pay with it, and of course if no pay were issued, the appointment would not invalidate his seat in parliament.

(Sgd.) L. F. PINAULT, Colonel,
Deputy Minister of Militia and Defence.

The gentleman has no doubt whatever on the subject, although, as I shall point out in a little while, the Department of Justice had little doubt that the decision should be in the very opposite direction. The next is a communication from Col. Fiset, dated the 14th of November, 1904 : to the adjutant General :

1. As the allowance for P.M.O. goes into effect only from the 1st of November, 1904, Lieutenant Colonel A. H. Worthington has not yet drawn any part of his allowance as P.M.O. for No. 6 military district.

2. I am of the opinion that the above named officer does not know that such allowance has been granted, and I beg to recommend that he be notified by higher authority of the dilemma in which he stands at present, and directed to resign his appointment as P.M.O. for No. 6 military district, and be transferred to the reserve of medical officers retaining rank.

Well, it seems to me, in view of the subsequent opinion of the Department of Justice on this question, that that is rather a curious communication.

Sir FREDERICK BORDEN. I would like to say that I knew nothing of these.

Mr. R. L. BORDEN. The minister need not have made that explanation ; I quite understand that. But that does not take away the force of my criticism that this is a very curious communication and a very pretty little arrangement. The next letter is as follows :

Headquarters, 6th November, 1904.
D.O.C. M.D. No. 6.

The Adjutant General.
Lieutenant Colonel A. N. Worthington,
P.M.O. M.D. No. 6.

Be good enough to inform Lieutenant Colonel A. N. Worthington, A.M.S., P.M.O., M.D. No. 6, that it will be necessary for him to resign his

appointment as P.M.O. and be transferred to the reserve of medical officers retaining rank. This course is necessary under the Revised Statutes of Canada, chapter 11, section 9, subsection (a), in consequence of his having been elected to a seat in parliament.

By order,
(Sgd.) B. H. VIDAL, Colonel,
Acting Adjutant General.

Then comes a letter from Col. Worthington to this effect :

Sherbrooke, November 19th, 1904.

Sir,—I have the honour to state that I have this day received a communication from the acting adjutant general requesting me to resign my appointment as P.M.O. on account of my having been elected to a seat in parliament, this course being necessary under the Revised Statutes of Canada, chapter 11, section 9, subsection (a).

I would respectfully ask if section 17, subsection (c) does not exempt me from resigning.

Should it not be so considered, I beg to state that as I have served my country for many years without any remuneration, I shall be pleased to continue to do so and request that I be allowed to retain the appointment of P.M.O.

In the event of this request being disallowed, kindly accept my unqualified resignation from the active forces of Canada.

I have the honour to be, sir,
Your obedient servant,
(Sgd.)A. N. WORTHINGTON,
Lieutenant Colonel A.M.S.,
P.M.O., M.D. No. 6.

Then there is a communication from the Hon. Mr. Fitzpatrick, the Minister of Justice, to Col. Pinault, Deputy Minister of Militia and Defence, which is of a formal character, as well as a communication from Mr. Fraser of Sherbrooke to the Minister of Justice, directing his attention to the circumstances of the case ; a letter from Mr. Fitzpatrick, Minister of Justice, to Col. Pinault of the 22nd of November sending forward the letter of Mr. Fraser ; a further letter of November 19, from Mr. Fraser to Mr. Fitzpatrick, respecting the same matter, and arguing as to the construction of the section ; a letter from Col. Pinault, dated the 23rd of November, 1904, to Mr. H. R. Fraser, Sherbrooke, the gentleman who has already been in communication with the Minister of Justice. That letter is as follows :

Sir,—The Honourable C. Fitzpatrick has referred to me for reply your letters of the 18th and 19th instant, relative to Lieutenant Colonel Worthington, M.P., drawing pay or allowances as P.M.O. for No. 6 military district while a member of parliament.

In my opinion if Lieutenant Colonel Worthington draws the allowance which the regulations provide for principal medical officers, he will thereby become disqualified to sit in parliament. See Revised Statutes of Canada, chapter 11, section 9, subsection (a).

Then there is the following memorandum :

Headquarters, 22nd November, 1904.

From the D.G.M.S. to the Adjutant General.
Lieutenant Colonel A. N. Worthington,
P.M.O., M.D. No. 6.

1. I have the honour to request that the services of Lieutenant Colonel A. N. Worthington, A.M.S., be retained as principal medical officer for No. 6 military district.

2. The above named officer is willing to forfeit the allowance of $300 per annum granted by R. and O., paragraph 903.

3. He is one of the ablest officers in the medical services and performed excellent work in South Africa. It would be a great loss to the service to be deprived of his experience.

4. Please find herewith draft for G.O. effecting same.

(Sgd.) EUG. FISET, Colonel,
Director General Medical Services.

Then, there is a letter from Col. Worthington to Col. Fiset, in which he says in effect that he gathers from this communication that he, Col. Worthington, can legally hold his position of chief medical officer without drawing the allowance pertaining thereto ; and he incloses a copy of an opinion from his legal adviser, Mr. H. R. Fraser, and asks that the opinion of the Minister of Justice should be procured as to whether or not he is disqualified from drawing, as principal medical officer, the allowance of $300 referred to, should he become a member of parliament. Col. Fiset, on the 5th of December, 1904, sends a communication to Col. Pinault, Deputy Minister of Militia, in which he asks him to obtain the opinion of the Minister of Justice as requested by Col. Worthington. And upon this, there is the following communication from Colonel Pinault to the adjutant general :

It is considered that if Lieutenant Colonel Worthington draws the allowance referred to, he vacates his seat in parliament. That is his own business.

Rather a curt way of dismissing a matter relating to a gentleman who served his country in South Africa on two occasions. A very remarkable way to deal with a respectful request from such a gentleman that a statute in which he is interested should be referred to the Department of Justice for an opinion. Quite a singular tone for any official of this country to adopt with regard to a gentleman in the service who makes a proper request concerning a matter in which not only he but all the people of the country are interested. Colonel Pinault continues :

As regards referring the question for a ruling by the Department of Justice, it is customary to refer only cases about which there are doubts. If you hold a contrary view to that expressed in the first paragraph above, the case will be referred, otherwise the reference cannot be made.

Has not Lieutenant Colonel Worthington already consented to perform the duties without

pay, and is not this action on his behalf inconsistent with his application ?

(Sgd.) L. F. PINAULT, Colonel,
Deputy Minister of Militia and Defence.

Then comes a communication from Colonel Worthington, in which he again reiterates his request that the question should be submitted to the Deputy Minister of Justice. And finally, on February 10th, Colonel Pinault does submit to the Department of Justice the question which has been under debate since the previous November. Then, on March 2nd, Colonel Worthington writes a letter on the subject, asking that the matter should be expedited. On March 15th the Deputy Minister of Justice, in a letter addressed to the Deputy Minister of Militia and Defence, gives his opinion as follows :

Ottawa, 15th March, 1905.

Sir,—I have the honour to acknowledge receipt of your letter of the 6th instant—303-8—and of the letter of the 10th ultimo to which you refer, submitting for opinion the question whether Lieutenant Colonel Worthington, M.P., who is principal medical officer of military district No. 6, would be disqualified from sitting in parliament if he should draw the allowance of $300 which is provided for principal medical officers in the regulations.

In reply I beg to state that the Minister of Justice is of opinion that the $300 a year provided for by the regulations is an 'allowance' within the meaning of section 17 of chapter 11 of the Revised Statutes, and that the receipt of it by Colonel Worthington would, therefore, not disqualify or render him ineligible to sit and vote as a member of the House of Commons. The minister, however, does not think that the point is entirely free from doubt, and, as it is not incumbent upon you to advise Colonel Worthington in the matter, he thinks that you should not undertake to advise him officially.

He had undertaken to advise him already, and had informed him that he could not sit in parliament and receive this allowance.

The courts might take a different view as to the effect of the statute and Colonel Worthington in that event should not have any recourse to the government or parliament to indemnify him.

Subject to the above the minister thinks that Colonel Worthington may be left to his own advice as to the course he should adopt.

I am, sir, your obedient servant,
(Sgd) E. L. NEWCOMBE,
Deputy Minister of Justice.

The Deputy Minister of Militia and Defence,
Ottawa, Ontario.

This allowance is not intended, as I believe, to be a salary, but an indemnity for certain expenses which the principal medical officer must undergo in performing the duties which are incumbent upon him. There is no good reason why he should not receive that allowance as well as any other, if it is intended for the purpose I have just referred to. The statute to which reference has been made, the Independence of Parliament Act, section 17, says :

Nothing contained in this Act shall apply or extend to render ineligible or disqualify as a member of the House of Commons :

(c) Any officer of the militia, or militiaman, not receiving any salary or emolument out of the public money of Canada, except his daily pay when called out for drill or on active service, or allowances, or sums paid for enrolment, and any pay or remuneration allowed him for the care of arms or for drill instruction.

The word 'allowance' is used in the section as well as in the regulation. Therefore, I should be inclined to concur in the opinion of the Department of Justice as given, though the deputy minister says that the point is not free from doubt. But I would suggest that it is important to make such a point free from doubt. The position taken by the Deputy Minister of Militia and Defence, and, following his lead, to a certain extent, by the Deputy Minister of Justice, would put upon Colonel Worthington, or any other gentleman holding the position of principal medical officer, the burden and risk of settling such a question. That is, he is to sit and vote in parliament and run the risk of having a suit brought against him by some irresponsible individual to test the question of the construction of this statute. I submit to the Minister of Militia that the matter should be made absolutely plain. If he desires to have gentlemen in parliament who are prominent in militia affairs, and who have filled positions such as that which has been worthily filled by the hon. member for Sherbrooke (Mr. Worthington), a few words added to the statute would set the matter at rest. And, in doing so, we should not be going as far as we have gone in many cases where we have passed Bills to indemnify members who though they have remained within the letter of the statute, have not been within the spirit of it. I mention the matter at this time, because it has been brought up more than once during the session, and because it seems to me that the attitude adopted with regard to it by the Deputy Minister of Militia and Defence is not one which, on the whole, has been satisfactory.

Sir FREDERICK BORDEN. I think it is only fair to the deputy minister to say that I feel absolutely certain that there was no intention on his part to do anything adverse to the interest of Colonel Worthington. I think that hon. gentleman himself will bear me out in that view. I happen to have learned a moment ago that the whole question arose through the desire of Colonel Fiset the Director General of Medical Services, who is a warm personal friend and admirer of the hon. member for Sherbrooke (Mr. Worthington), to protect that hon. gentleman. And it was through Dr. Fiset that the deputy minister was brought into the matter. There was no intention whatever to do anything adverse to the hon. gentleman's (Mr. Worthington's) interest. I am

glad to be aware of that fact and to state it to the committee. This is the first I have heard of this correspondence.

I sympathize very much with the hon. member for Sherbrooke (Mr. Worthington). I was medical officer myself for many years in my own province, and received whatever fees pertained to that official, while being also a member of parliament. During the recess between sessions I examined men for the schools and received pay for it, whether properly or improperly ; I thought I had a right to do so under the Independence of Parliament Act. But I would say in support of the opinion of the leader of the opposition, that if, in order to remove all doubts, it is necessary to make some amendment in the Independence of Parliament Act, it should be done at once ; and if my hon. friend will indicate the words that he thinks should be introduced, I will ask the Minister of Justice to take the matter up at once. I agree about the importance of having as many military men as possible in the House, and particularly men who have taken such a keen interest in military affairs and who have distinguished themselves so highly as the hon. member for Sherbrooke has done.

Mr. R. L. BORDEN. I think what the minister has said is very satisfactory. I have no criticism to make upon the action of the Deputy Minister of Militia, except in so far as his conduct appears in the correspondence to be, I thought, rather curt, and not actuated by a very friendly spirit towards my hon. friend from Sherbrooke, nor was it such a spirit as might be expected to be evinced toward a man who had had the distinguished public career and performed the public services which the member for Sherbrooke had performed. However, we will let that pass. I will be glad to send to the Minister of Militia the amendment which I think should be made in the law to cover this case.

I would like to say one or two words about the main subject we have been discussing this evening. I realize that the conditions are not quite the same as they were in 1896-7, because we have at the present time, or there is proposed to be now, a permanent force of 3,000, and the permanent force at that time I believe was about 800. Let me point out to the Minister of Militia that upon the statement which he has brought down to parliament, in 1896-7, there was an expenditure of $2,413,651, while during the coming year he proposes to expend $5,493,102.50. To that is to be added, I suppose, a certain sum in the supplementaries for next year, one amount that is mentioned being the sum of $150,000 for annual drill. Therefore we will assume that the total estimate for the year will run up to nearly $6,000,000. Well, we are to have a larger permanent force now, a permanent force more than three times as large as we had in 1896-7. But when you come to look at the number of men who will be drilled this year as compared with 1896-7, the difference does not appear to be so great. According to the statement which the minister brought down there were drilled in 1897, 36,298 men, and there were also included in the force that year 3,471 horses. In the year 1905, according to the estimate which the minister has brought down, there will be drilled 43,983 of all ranks, including 7,640 horses. That is exclusive of the permanent force.

Sir FREDERICK BORDEN. Where does the hon. gentleman get his figures ?

Mr. R. L. BORDEN. On page 9 of the statement where it is said : 'The numbers called out for training this year exclusive of the permanent force, are as follows.' Then it gives the totals of men and horses that I have mentioned.

Sir FREDERICK BORDEN. If my hon. friend will look at the last page of the statement he will find the figures for 1896-7 as being 36,298 men, and on the same line he will find the number for 1904-5. But these are the establishments. We have not given the numbers called out for drill in 1896-7, we have only given the establishment, and opposite that is placed the number called out for drill in 1904-5.

Mr. R. L. BORDEN. I understood that to be last year, meaning the fiscal year 1904-5.

Sir FREDERICK BORDEN. It is necessary to understand the militia term for 1896 in order to find out the exact number.

Mr. R. L. BORDEN. Let us take then the comparison of the establishments. There is a difference of about 6,000 men. In 1896-7, there were 36,298 ; in 1904-5—I took that to be last year, and I thought that 43,000 referred to the present year, but that apparently is not so. The establishment is something different from the number of men called out. Well, let us take the 49,000 ; you have then an increase of a little over one-third in the establishment. But you have an expenditure of $2,413,000 as compared with about $6,000,000. Well, I concede at once that you must make a very important addition to the $2,413,000 on account of the addition to the permanent force, and taking over the garrisons at Halifax and Esquimalt.

Sir FREDERICK BORDEN. There is one other item to which I call my hon. friend's attention ; in 1896-97 the item for arms, ammunition, &c., was $745,965, whereas, in the present year, it is $1,225,000 or nearly double.

Mr. R. L. BORDEN. Nearly $500,000 more, I observed that. But, after all, you must rely in the end upon the men whom you call out and train and upon the men who, as the hon. minister says, will be avail-

able in addition to them so as to make up what he calls, I think, his first line of defence, 100,000 men. Is there not a very much greater advance in the cost to the country of the militia service at the present time than there is in the number of men annually trained now as compared with what was accomplished in 1896? Then, there is another circumstance that struck me very forcibly as to which I would like to have some explanation. As I understand it the theory of the Department of Militia is this: You are to train a certain number of men, between 40,000 and 50,000 every year and you expect, in the event of necessity, to call out 45,000 or 55,000 more men who will be to a certain extent untrained, who certainly will not have the training that is to be found among the men who go into these camps every year and who in that way increase their daily allowance from 50 cents to 75 cents.

Sir FREDERICK BORDEN. All the active militia will get $1 a day.

Mr. R. L. BORDEN. I mean $1. But the idea of making that increase is that you will get men to attend the camps year after year and therefore, if there is any advantage at all in that increase of pay, it will be found in this, that these men year after year, up to a certain number, will attend the camps and in that way they will require a better training than hitherto. I observe on pages 8 and 9 that there is a considerable difference between the training establishment of each battalion called out for training in 1905 and each battalion called out for training in 1904. That is what is intended, is it not?

Sir FREDERICK BORDEN. Yes, the difference is in the number of officers.

Mr. R. L. BORDEN. I observe that and that is what I want to call attention to. In 1904 the standard was 420 men and in 1905, 353. The memorandum goes on to state:

> The principal difference between the two is that in the training establishment of this year the number of captains is reduced from 16 to 8; the number of lieutenants is reduced from 24 to 16; the number of sergeants is reduced from 48 to 32; and the number of corporals is reduced from 48 to 24 in each rural regiment of infantry.

What I am asking is entirely for information because I do not profess to have very much knowledge in regard to the matter and I only state my view as one who would like to be considered a man of common sense, if I may include myself in that class, but who does not know very much about the subject. You have 40,000 or 50,000 men whom you are training and you expect to make up your establishment by adding 50,000 men who have practically no training. But, while you are training these men you are reducing the number of officers. It would strike me that this is the last item you should reduce because you should keep or increase the number of officers so that you will have a sufficient number of additional trained officers for the additional number of men who would be called out in time of trouble.

Sir WILFRID LAURIER. There are officers enough in the companies, as stated in that memorandum, for 100,000 men.

Mr. R. L. BORDEN. If that is the case it meets my difficulty, but I did not understand you had so large a proportion before.

Sir FREDERICK BORDEN. That was arranged under the Dundonald establishment and very properly, I think, with the view of having a very large number of officers in the second line, the expectation being that the central camp would be established and that these officers would be given opportunities of training there. The camp has not yet been established and they have been left out for the time being.

Mr. R. L. BORDEN. Well, that is quite satisfactory. Naturally, as that was not explained in the memorandum, I took it for granted that what formerly had been regarded as only a sufficient number was now being reduced. The hon. minister says the reason that the number of officers is not only sufficient for the number of men who are being trained annually but is also sufficient for the additional men necessary to make up the full quota of 100,000. This being so, my criticism and objection are fully answered.

Mr. SPROULE. I would like to ask the hon. minister a question in regard to the treatment of men injured in camp. I know a young man who is now in the Toronto General Hospital and who was injured in the camp at Niagara. He will be laid up for quite a length of time. What provision is made for such cases? I understand that the department generally pays the expenses but what is done further I do not know.

Sir FREDERICK BORDEN. There is the pay of rank and subsistence allowance in cases of sickness arising in camp limited to sixty days and if a case goes beyond that it has to receive special treatment. Sometimes we come to parliament and ask for a vote and sometimes the cases can be dealt with by Order in Council.

Mr. SPROULE. As the injury in this case will certainly be of a permanent character, I would like to know if there is provision made in the form of a pension or anything of that kind.

Sir FREDERICK BORDEN. There is a pension for active service, but it does not apply to camp. Of course, men going into camp have to take a certain amount of risk, but where a special case of hardship arises the minister will come to parliament and ask parliament to deal with it.

Mr. SPROULE. Then he gets the ordinary pay of his rank during the time he is ill?

Sir FREDERICK BORDEN. He gets $1 a day and subsistence.

Mr. SPROULE. Does that cover medical assistance or has he to pay for that out of his allowance?

Sir FREDERICK BORDEN. The pay of his rank and subsistence are the only provision.

Mr. WORTHINGTON. I do not wish to occupy the time of the committee but a very few minutes, but the hon. Minister of Militia and Defence will recollect that earlier in the session I made application to have the papers brought down in connection with the grant of the King's medal to the soldiers who had done a second term of service in South Africa. I am afraid the hon. minister considers this a dead letter, but I can assure him that a great deal of interest exists in the minds of Canadians who had this second term of service and for that reason I would like to bring it to his memory and to the notice of the committee. I think that the present time is perhaps very opportune for doing so because we see in the papers daily that the commander in chief, Lord Roberts, intends visiting Canada shortly and this would be a very suitable time to bring the matter again before him. The order granting this second South African medal, general order No. 110 of November, 1902, reads as follows :

His Majesty the King has been graciously pleased to approve that a second war medal, bearing his effigy, shall be granted in recognition of the services renderd by the troops in the latter phases of the campaign in South Africa, and to reward those soldiers who, by their long service in the field, have brought the war to a successful termination.

Section 3 goes on to state who shall receive this medal and in consideration of what services. It says :

Provided the claims are approved by the commander in chief a medal of silver will be issued to all officers, &c.

(a) Provided they were actually serving in South Africa on or after the 1st of January, 1902.

(b) That on that date they had completed 18 months war service or subsequently completed such service before the first of June, 1902.

I think the Canadians who did a second term of service in South Africa conform to these requirements, and I am told by very good authority that these claims were approved by the commander in chief and recommended to the War Office. As to whether these Canadians were actually serving in South Africa on or after the 1st of January, 1902, there is no doubt whatever, and the only question which arises is as to the interpretation of the phrase : 'That on that date they had completed 18 months' war service.' In my opinion the War Office has placed a very illiberal interpretation on these words, in holding that they required a Canadian to do 18 months' actual service in South Africa. The war service of a citizen soldier of this country should begin from the time he lays down his professional or other duties to enlist in a regiment for active service abroad. No matter whether the first few weeks of that service are spent in Ottawa for purposes of organization or in Halifax for embarkation, his term begins when he enters the service of the empire and when his South African pay begins. The War Office was pleased to grant two other medals in Canada. After the Fenian Raid it was pleased to grant two other medals in Canada. Then there was no distinction drawn between the home guard and those who actually served at the front ; in fact a great many men who never left their homes were recognized in this respect the same as the men who fought at Pigeon Hill. After the Northwest rebellion there was no such illiberal interpretation placed on war service and actual service in the field or at the front, other service, because every one under arms in and west of Port Arthur got the Northwest medal. In both these instances medals were given to Canadians for simply protecting their homes and firesides, and it is strange that when from a mere matter of sentiment or patriotism Canadians go to the other end of the world to fight for the empire, they should not receive this acknowledgment. I do not wish to criticise the department for I believe it is not responsible. I am sure the minister has done a great deal to carry out the wishes of the men who have not received this medal, but I do think that if the medal claims' list had been forwarded directly from the commanding officers to the War Office without being sent back with instructions that they were not entitled to this medal, more prompt action would have been taken as it was without the province of the department to adjudicate on matters of an imperial nature, being simply the channel of communication between these officers and the War Office. I think the present time would be opportune to bring this matter to the attention of the commander in chief, especially as we hear he is likely to visit Canada, and I trust that the Minister of Militia will do so because at least 25 per cent of the Canadians who went out in the latter stages of the campaign and who were instrumental in bringing the war to a successful termination are interested in this matter.

Sir FREDERICK BORDEN. This question has been before the House on at least three occasions, and two years ago I read to the House the papers on the subject which my hon. friend will find in 'Hansard.' My hon. friend (Mr. Worthington) is quite correct in saying that this is not a matter

for the Canadian government at all; it is absolutely and entirely a matter for the Imperial War Office. The granting of the King's medal depends upon the Queen's medal having been previously earned, and no one not already in possession of the Queen's medal has the right to the King's medal. The question as to the recognition of service on shipboard and service in Canada getting ready to embark for South Africa, is purely a question for the imperial authorities and in their regulations they distinctly state that length of war service in South Africa must be a qualification for the Queen's medal. On two or three different occasions representations from different sources have been forwarded by me through the Governor General to the Colonial Office and in each case the most explicit and distinct refusal was given. I think my hon. friend (Mr. Worthington) is entirely mistaken in supposing that Lord Roberts ever recommended the granting of the medal. The Imperial Yeomanry and the Australians were treated in precisely the same way as the Canadians. I refer my hon. friend to 'Hansard' of 1903, pp. 10491 and following for a full statement of the case and copies of all the correspondence on the subject. I propose to read one letter from Mr. Chamberlain to Lord Minto:

I have the honour to acknowledge the receipt of Your Excellency's despatch No. 278 of the 22nd August, transmitting a copy of an approved minute of your Privy Council.

I had forgotten that the government of Canada had gone so far as to make it a subject of communication from the Privy Council of Canada and gave it all the force and weight that might convey.

On the subject of the bestowal of the South Africa medal and the payment of the war gratuity to the members of the 3rd, 4th, 5th and 6th regiments, Canadian Mounted Rifles.

I have to acquaint you, for the information or your ministers, that I have submitted the question to the consideration of the Secretary of State for War, but that he, after careful consideration with his military advisers, has decided that no relaxation can be made of the date limiting the grant of the medal or war gratuity.

I have to add that the rule has been adhered to in the case of all the imperial troops who landed in South Africa after the 31st of May, and of the 5th, 6th, 7th and 8th battalions of the Australian Commonwealth Horse.

And so on. I could give the telegrams from the War Office, but I think that should be quite sufficient to satisfy my hon. friend that we did all we could, and that it is no use to try to do any more.

Mr. WORTHINGTON. Of course, when you read the last part of that letter you are confusing the last contingent, who arrived after peace was declared. I am contending that it is necessary a man should have first of all the Queen's medal, he could not help getting it after putting in a claim of this kind, because he would get that after his first twelve months' service. I have been told that a great many imperial officers got this medal who were not in South Africa for eighteen months; they were absent going to Ceylon and St. Helena with Boer prisoners, and were in practically the same position as we were in going to and from South Africa.

Mr. O. E. TALBOT. In regard to the somewhat extended remarks of the minister and the large estimates involved by the increase of the permanent force—a step, by the way, of which I entirely approve—I would like to ask whether it is the intention to do anything towards the improvement of the accommodation of the military school at Quebec. Quebec occupies an important position as a military district. Two years ago I was obliged to qualify as a field officer. I went to that school—No. 5 infantry school—and I found it a very serious drawback for the officers who went there to qualify to have to look all over the city for a boarding-house or for lodgings. This was a very serious drawback, and when my course was over I drew the attention of the department to it, and I think there is quite a voluminous correspondence between the District Officer Commanding of Quebec and the department, drawing the attention of the department to this deficiency. Last winter some thirty-five or thirty-six officers of different rural corps of the district of Quebec qualified. They were under the same drawback. The Militia Department has a very fine building and plenty of land right in the heart of the city of Quebec in connection with that regiment, and I would appeal to the minister and to his department that a certain sum of money should be devoted from the numerous millions we have voted here for the enlargement of that school. A man who wants to become efficient in military matters should be right on the spot, and should not only follow three or four hours of a technical course each day, but should have drill constantly under his eyes in the way of guard-mounting, forming of pickets, &c. The only expense would be the extension of the building to give accommodation, probably twenty or twenty-five rooms, a mess room and instruction rooms in the one building. It would not be a very large expenditure, and I would appeal to the minister to find his way clear to enlarge that school in order to take advantage of the spirit we now have in our province. All young men have to battle against a certain drawback and difficulty, that is a full knowledge of the language, but still, on the whole, as General Lake was kind enough to mention when he visited the camp at Lévis this year, our camp was as good as any in the Dominion of Canada, and I think the Minister of Militia could not spend a few hundreds or a few thousands of dollars in a more useful

way than in extending that school for the purpose I have indicated, so that young men who are willing to qualify and become good, efficient men, willing to be an example to those under them in the way of knowledge and discipline, could have rooms and lodgings at the school in order to be there from morning until evening, so that they could take advantage of every move and word of instruction that could be given to them.

Sir FREDERICK BORDEN. I beg to say to my hon. friend that this request is a very proper and reasonable one. I will look into the matter at once; in fact, the hon. member has pressed the question on my notice already, and something is being done in that regard. With reference to what he has said about increased interest being taken in military matters in Quebec, I am able to testify to that fact, and I am very glad to notice that such is the case. The camp at Lévis this year, I heard from General Lake myself, was one of the best in the whole Dominion.

Mr. J. J. HUGHES. Taking advantage of the statement of the minister that he would be glad to answer any questions asked him in connection with this matter, I would like to ask whether he has experienced any difficulty in keeping up the numerical strength of the permanent force, or does he anticipate any difficulty when that force is increased?

Sir FREDERICK BORDEN. No.

Mr. J. J. HUGHES. Then I would ask another question. Is it according to the military regulations, or the militia rules of this country, practically possible for a young man of energy, ability and talent, entering as a militiaman, by application of the talent that he may possess, by industry, perseverance and good conduct, if he has natural ambition, is it practically possible for that man to attain any of the higher positions in the military service of his country?

Sir FREDERICK BORDEN. It is. I have much pleasure in telling my hon. friend that it is absolutely possible, and that only a very short time ago I remember two appointments being made of men who enlisted in the ranks. I have known some cases where perhaps very worthy men had endeavoured to secure positions by using influence from outside, which I think was a very undesirable thing to do, and which I think was objected to by the officers, because I am told by the officers in command of depots that if that kind of thing were permitted it would absolutely destroy all discipline in the depot. I am not thinking of any one in particular, but I know that that has happened. If men will go on simply attending to their business, without indulging in log-rolling, and bring themselves to the notice of their officers in the proper way, by attending to duty, they are absolutely certain if they have the necessary education, of course, to eventually secure promotion.

Mr. J. J. HUGHES. I am very glad to get that statement and that information, because I know that in some parts of the country a different impression prevails. I do not think anything could be more detrimental to the best interests of the service and to the young men of the country were any considerable portion to feel that because they do not perhaps occupy a certain social position they could not rise to the highest position to which their talents and education should call them in the military service of the country. In the continental armies, and in the British army I believe, a different system practically prevails. I have seen it stated that it was to that fact, to the indignity that had been heaped upon him by his brother officers, that Sir Hector Macdonald, who had risen from the ranks to occupy an important position in the British army, was driven to a suicide's grave, that many other men had suffered in a similar way, and that many worthy men had been prevented from rising in the service simply because of their social position; and I think it would not be in accordance with the genius and spirit and character of our people if anything like that prevailed in the military service of our country.

Mr. GERVAIS. Before the discussion closes I wish to say a few words by way of explanation on behalf of the Deputy Minister of Militia. From the discussion which has been going on for half-an-hour one might infer that the Deputy Minister of Militia had been interfering with the Department of Justice by giving an opinion outside of his departmental relation. As a matter of fact, in the correspondence which has been filed in regard to the question of the resignation of the hon. member for Sherbrooke as principal medical officer, it is shown that the Deputy Minister of Militia never interfered with the Department of Justice and never gave an opinion outside of the Department of Militia, but merely gave an opinion to Mr. Fiset, who was the medical director general in the department. When the Deputy Minister of Militia gave his opinion outside of the Militia Department, it was not, as Mr. Newcombe has said in his letter of March 15, 1905, of his own motion, but at the special request of the Minister of Justice. To support my statement, I will read the following letter:

Ottawa, November 22, 1905.

Dear Col. Pinault,

I send you herewith letter which I have received from Mr. H. R. Fraser, Sherbrooke, re the right of Dr. Worthington, M.P., to accept certain pay as a medical officer in No. 6 district. I have told Mr. Fraser that his letter has been sent to you. Will you be good enough to send him the necessary answer.

Yours truly,

(Sgd.) C. FITZPATRICK.

Later on, we find another letter from the Minister of Justice, reading as follows:

Ottawa, November 22nd, 1904.

My Dear Col. Pinault,

Herewith additional letter from Mr. H. R. Fraser re Dr. Worthington.

Yours truly,
(Sgd.) C. FITZPATRICK.

Therefore I say that in the month of November, 1904, it was at the special request of the Minister of Justice that Colonel Pinault, the Deputy Minister of Militia, gave any opinion in relation to the question raised by the hon. member for Sherbrooke as principal medical officer for district No. 6. I have read these two letters to show that no blame is to be attached to the Deputy Minister of Militia in this connection, and that the statement made by Mr. Newcombe, the Deputy Minister of Justice, in his letter of March 15, 1905, is not borne out by the fact.

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

Mr. GERVAIS. I will read Mr. Newcombe's letter:

Ottawa, 15th March, 1905.

Sir,—I have the honour to acknowledge receipt of your letter of the 6th instant—303-8—and of the letter of the 10th ultimo to which you refer, submitting for opinion the question whether Lt.-Col. Worthington, M.P., who is principal medical officer of military district No. 6, would be disqualified from sitting in parliament if he should draw the allowance of $300 which is provided for principal medical officers in the Regulations.

In reply I beg to state that the Minister of Justice is of opinion that the $300 a year provided for by the regulations is an 'allowance' within the meaning of section 17 of chapter 11 of the Revised Statutes, and that the receipt of it by Colonel Worthington would, therefore, not disqualify or render him ineligible to sit and vote as a member of the House of Commons.

Then, this is the statement I refer to:

The minister, however, does not think that the point is entirely free from doubt, and, as it is not incumbent upon you to advise Colonel Worthington in the matter, he thinks that you should not undertake to advise him officially.

As a matter of fact this statement of Mr. Newcombe is not borne out by the letters. When Colonel Pinault advised Mr. Fiset, the general director of medical service, as well as when answering the Department of Justice, he did so at the special request of the Department of Justice. I am making this statement to show the House that no blame should be attached to Colonel Pinault, who has the highest regard for the hon. member for Sherbrooke as a medical man.

Mr. R. L. BORDEN. I was not making any comment on the Deputy Minister of Militia except so far as I read statements from these letters. I have either read or referred to every letter on this file. Long before there was any letter from the Minister of Justice or from the Deputy Minister of Justice, Colonel Pinault made this memorandum on the 7th of November, 1904, the very first letter on the file to which the hon. gentleman has now referred:

Under the Revised Statutes of Canada, chap. 11, section 9, sub-section (a) this officer would be disqualified if he should accept pay or other emoluments as P.M.O. Sub-section 4 of the same section provides that if it be stated in his commission or other instrument appointing him that the appointment did not carry pay with it, and of course if no pay were issued, the appointment would not invalidate his seat in parliament.

Mr. GERVAIS. If the hon. member for Carleton (Mr. R. L. Borden) will permit me, I would like to ask him a question. Has he allowed for the fact that the letter he has read was addressed to Col. Fiset, who is a fellow officer in the same department with the writer of that letter. It is a letter intended for the exclusive use of the department.

Mr. R. L. BORDEN. What of that? That has nothing to do with what I am talking about. My point is that the deputy minister made up his mind immediately, without consulting the Department of Justice.

Mr. GERVAIS. For the use of his fellow officer, not for the use of the public. As a matter of fact, when Col. Pinault was making that statement to Col. Fiset, he was doing it for the benefit of Col. Fiset; he was not taking the responsibility of deciding whether Col. Worthington was right or not.

Mr. R. L. BORDEN. Surely, the hon. gentleman does not expect that this opinion was not to be acted upon. If he does it can only be because he has not examined the file carefully; for it was immediately followed, on November 14th, by a memo. of Col. Fiset to the same effect, and this was communicated to Col. Worthington on November 16th. The hon. gentleman (Mr. Gervais) need not endeavour to pull the wool over our eyes, even at the instigation of any gentleman who may be making these suggestions to him. I say that without any intention to be offensive. The object of Col. Pinault's memo. on November 11th is perfectly obvious. And I might make some comments upon this, which I did not intend to make, but which I shall make if this discussion is much protracted. Because, there is an evident intention in this correspondence, which can be easily read between the lines. I endeavoured to be very moderate in my remarks, as I do not desire to be unjust to any one. If the hon. gentleman (Mr. Gervais) thinks this

opinion was not intended to be communicated outside the department, he has not read the file. It was communicated to another officer, and then to Col. Worthington in the ordinary course.

Mr. GERVAIS. I would ask the hon. gentleman (Mr. R. L. Borden) if he makes no difference so far as responsibility is concerned for an opinion whether that opinion is to be sent to a fellow officer or is sent to a person outside the office ? In a law office, for instance, one partner often consults another upon some question that arises. Surely, the hon. gentleman will draw a distinction between an opinion given by a lawyer to his partner and an opinion given by a lawyer to his client.

Mr. R. L. BORDEN. My hon. friend from St. James division (Mr. Gervais) has made the very best he could of a very bad case. He has got a little mixed in his facts through not reading the file. I will not press him further, because I know how I should feel if I were in the position in which he now is.

Mr. GERVAIS. I would ask the hon. gentleman to show me in what way my facts are not borne out ?

Mr. R. L. BORDEN. First, the hon. gentleman (Mr. Gervais) said that the Deputy Minister of Militia had given no opinion on this question until he was asked to do so by the Deputy Minister of Justice. He was not so asked until February, and he gave an opinion in the November proceeding. Then, the hon. gentleman says that the Deputy Minister of Militia gave his opinion for the private information of some person without any idea that it would go out of the department. As a matter of fact, as the first three documents on the file will show, this opinion was sent in the ordinary course by the deputy minister to another officer of the department for the purpose of being communicated by him directly or through still another officer to Col. Worthington, and it did go to Col. Worthington on November 16th, long before the Minister of Justice or the Deputy Minister of Justice had come into the matter. So the hon. gentleman (Mr. Gervais) is not very well up in his facts on that branch of the case.

Mr. GERVAIS. The documents on file will show I am correct in my facts.

Mr. E. M. MACDONALD. I would dirrect the attention of the Minister of Militia (Sir Frederick Borden) to the matter of the promotion of men in the ranks to be commissioned officers. I have in mind a case which, if it is illustrative of the position in the force throughout Canada, indicates a condition of affairs which, in my opinion, is not conducive to the best interest of the militia. Personally, I do not profess to know much about militia matters. But it does seem to me that one principle ought to be recognized in our militia, and that is that any Canadian who develops an interest in militia matters has the right to an opporunity to rise to the highest position in the militia service. I am aware of a case in which certain members of the permanent force have been disposed to discriminate against a young Canadian whose record in the militia is above reproach, whose private life has been such as to command respect and whose whole career entitles him to commendation. I submit to the minister —whose management of the department, every one, no matter what his politics, will admit, is the best that has been shown by any Minister of Militia in the history of the country—whether he should not give careful attention to a system which would permit discrimination by any commissioned officer against any man in the ranks. There may be gentlemen who have reached positions in the militia force who choose to say that a non-commissioned officer, because he did not happen to be born in a certain condition of life, is not entitled to the emoluments that go to a commissioned officer. The question of how the word 'gentleman' is to be defined may depend upon the views of each individual. I merely call attention to a case which has come under my own observation indicating an abuse which, where it exists should be stamped out in the interest of our militia system, so that any young man, no matter what his position in life, may freely aspire to the highest position in the militia service.

Sir FREDERICK BORDEN. In answer to the hon. gentleman (Mr. E. M. Macdonald), I have only a word to add to what I have already said. I shall be glad if my hon. friend will put me in possession of facts which will show the existence of such a condition of things as he describes. Because, if there be such a condition of things, I would take the very strongest means to put an end to it. There should be no bar to respectable, well-behaved zealous and qualified men, I do not care what their walk in life, to rise in the militia service. So far as I am concerned, I propose to see that the door shall be open to all. But, while I say that, I wish to repeat what I have already said—and I am not referring to the case which the hon. gentleman (Mr. E. M. Macdonald) has in mind, though I know of that case. But I know of cases—one at least—where a persistent attempt has been made by certain influential people in favour of a man occupying a rather high place in society in his own province, to force me to admit

him as an officer though his record was not what that of an officer ought to be.

I looked up the record and I found that the report was absolutely correct, and that he was not a desirable man to whom a commission should be given. The officers are in a very difficult position. The Canadian permanent force is in a different position from the regular army. In the latter, men go into the field of battle, and when one distinguishes himself on the field he is given a commission at once, or shortly afterwards, for distinguished services. Opportunities in Canada are not nearly so great, and it is necessary for a man to rise in a different way. I am afraid sometimes they think they see a short cut to get a commission by log-rolling and bringing influence, political or otherwise, upon the minister. I think it would be subversive of discipline if anything like that were permitted or encouraged. As I said a moment ago, a man or a non-commissioned officer will serve his own interest best by attending to his duty and working out his salvation as best he can, instead of asking his friends to bring influence, political or otherwise, to bear upon the minister to get him a commission.

Mr. HERRON. I do not know whether the minister is aware of the trouble that occurred at Macleod a year or two ago. In that case I am afraid it was political rather that social distinction which had an influence, and caused a geat deal of trouble in the Mounted Rifles of Macleod. I hope that has been made right, because I consider that one gentleman was treated very badly.

Sir FREDERICK BORDEN. I remember the case, that has been made right.

Military properties—for an armoury for 5th Royal Scots, Montreal, $30,000.

Sir FREDERICK BORDEN. This is for the construction of an armoury for the 5th Royal Scots. The property is to be handed over to the government. The regiment is contributing about the same amount as the government. Several gentlemen in the city of Montreal whom I need not mention, have contributed a considerable sum of money to enable this regiment to have their armoury. A very fine armoury will be built for the two sums.

Grants to rifle associations—further amount required, $4,000.

Mr. A. JOHNSTON. I desire to bring to the notice of the minister the need for a rifle range in my own constituency. Four or five years ago the Militia Department undertook, at the request of some gentlemen who were very much interested in the matter, the construction of a rifle range in my constituency. There are several considerable large towns in my constituency, there is a good deal of military spirit there, and a large number of young men are exceedingly anxious about this matter, and they have been looking forward during these years to having this rifle range constructed. I have received assurances from the department on several occasions during the last four years that some steps would be taken to provide it. But I have made up my mind that the rifle range is farther away to-day than it was four years ago. I have been pointing out to these young men that I had been from time to time conveying their request to the minister, because they seem to think that I was not doing all I could. I would like the minister to make a statement as to whether it is the intention of the department to proceed and construct this rifle range. I know that plans were prepared in the department some time ago, I know that these plans were not acted upon, I know also that these plans were changed ; and I know, further, that these plans were still further changed. I do not know exactly where the matter stands now.

Sir FREDERICK BORDEN. My hon. friend (Mr. A. Johnston) wrote me a few days ago and I have made inquiries. I am bound to say that I supposed that rifle range was completed last year. I am told that the land has been selected, and that work is to be begun immediately.

Royal Military College—further amount required, $2,000.

Mr. TISDALE. What is that for ?

Sir FREDERICK BORDEN. For the purpose of facilitating the instruction in railway construction it is proposed to lay down in the college grounds a few hundred feet of standard railway track.

Dominion Arsenal—further amount required, $65,000.

Sir FREDERICK BORDEN. That is for an additional number of cartridges.

Defences of Esquimalt—further amount required, $110,000.

Sir FREDERICK BORDEN. We have voted $110,000 in the main estimates in addition to this $110,000. It will cost $220,000 a year. The imperial authorities are to continue the maintenance of the fortress at Esquimalt until July 1st.

For preservation of site of Old Fort at Louisburg, Cape Breton, $5,000.

Sir FREDERICK BORDEN. The old historic fort at Louisburg is gradually disappearing and the provincial government of Nova Scotia suggested that if we would vote a certain amount they would vote a similar amount for the purpose of trying to some extent to restore or at any rate preserve whatever may be of interest there at the present moment.

Mr. W. J. ROCHE. I would like to ask the hon. Minister of Militia and Defence if any representations have been made to him in reference to a drill hall at Minnedosa. I may say that I noticed in last session's esti-

mates that there was an item for the Brandon drill hall and also for a drill hall at Virden. Both of these are in the constituency of Brandon. The hon. ex-Minister of the Interior (Mr. Sifton), I know, wrote a letter to the captain of the squadron located in Minnedosa, the 12th Dragoons, promising that there would be placed in this year's estimate an amount for the construction of a drill hall there. They have a very efficient company of dragoons who carried away the major portion of the prizes at the fall competition in Brandon last year, and I notice in to-day's papers that they have done the same thing in the camp which closed last week. I hope that the hon. minister will place an item in the further supplementary estimates if we are going to have any this year.

Sir FREDERICK BORDEN. That will not be necessary. There is a lump sum in the estimates of the Department of Public Works for just such works as these. I remember the fact of the place being brought to my attention and I can only promise that I will look into the matter and of course we cannot do them all at once but I will give it my sympathetic attention.

Public Works—chargeable to capital—Harbours and rivers (Marine Department)—additional amount required for a new dredge plant for the ship channel in the River St. Lawrence below Quebec, $150,000.

Mr. R. L. BORDEN. Are we not going to have an explanation of these ?

Hon. RAYMOND PREFONTAINE (Minister of Marine and Fisheries). This is just a continuation of a vote which has been taken in the main estimates of $100,000 for the same object. With $150,000 I think we will be able to have that dredge ready for work during the season 1907. It is for the lower St. Lawrence.

Additional amount required for permanent piers in Lake St. Peter and other places in the ship channel, River St. Lawrence, $160,000.

Mr. PREFONTAINE. This is the continuation of a vote of the same kind for piers on Lake St. Peter which will constitute permanent lights.

Mr. R. L. BORDEN. Why did you not put this in the main estimates ?

Mr. PREFONTAINE. We could not because the plans were not completed.

Ocean and river service—to provide for repairs to steamer 'Quadra,' $30,000.

Mr. PREFONTAINE. This item should be changed and I would move to strike out the word 'Quadra' and insert the word 'Montcalm.'

Mr. R. L. BORDEN. Is it a clerical error?

Mr. PREFONTAINE. It is a clerical error because the 'Quadra' has been provided for in the supplementary estimates of 1904-5.

Motion agreed to.

Scientific institutions and hydrographic surveys —Department of Marine and Fisheries—further amount required for hydrographic surveys, $114,500.

Mr. PREFONTAINE. This is to provide for the hydrographic survey on the Atlantic and Pacific coasts. This is to do the work that used to be done by the Imperial authorities, who have delivered it into our hands. I must say that this is one of the most important services in which we are engaged. We are going on with these surveys on the Atlantic coast. We have had great difficulty in getting a proper organization for the Pacific coast, but that will be provided for.

Mr. R. L. BORDEN. I think you had an item for this in the main estimates ?

Mr. PREFONTAINE. Yes, I think it was $45,000. At that time we had not organized.

To provide for the purchase or construction of a steamer for hydrographic surveys on the Atlantic coast, Gulf and River St. Lawrence, $75,000.

Mr. PREFONTAINE. At the present time we are doing this work on the Atlantic coast with the steamer 'Gulnare' which was employed generally in another service but the work had to go on and we took her from the tidal service and employed her to do this work for this season. On the Pacific coast we have no boat, we could not secure one but we intend to purchase one.

Construction of marine hospital at Yarmouth, Nova Scotia, $6,000.

Mr. R. L. BORDEN. Will this be maintained by the department ?

Mr. PREFONTAINE. Yes.

To provide for expenses of Fishery Commission, $15,000.

Mr. PREFONTAINE. There are two special commissions included in this vote. The most important one is in connection with the salmon fisheries in British Columbia which I promised would be appointed when I was in British Columbia last fall. The governor of the state of Washington has appointed a commission whose names have been forwarded to us and which will act concurrently with the Canadian commission to endeavour to decide on regulations which will be applicable to both countries.

Mr. R. L. BORDEN. What will they investigate ?

Mr. PREFONTAINE. The salmon fisheries and the best periods for close seasons, &c. The Americans have enforced practically no regulations in the past and the industry has suffered greatly for the want of an understanding between the two countries.

Mr. BLAIN. How many Canadian commissioners will be appointed ?

Mr. PREFONTAINE. Probably five, who will be chosen from the best people we can find, but the chief work will be done by Professor Prince, the Dominion Commissioner of Fisheries and Mr. Blacock the Fishery Commissioner for British Columbia.

Management and expenses of government educational fish curing establishments—the proceeds of the same to revert to the appropriation, $12,000.

Mr. PREFONTAINE. We intend to proceed in this matter as the Department of Agriculture did in reference to butter and cheese factories.

Mr. R. L. BORDEN. Where are these establishments ?

Mr. PREFONTAINE. One at Souris, in Prince Edward Island. We propose to treat codfish.

Mr. R. L. BORDEN. I understood you were making experiments with regard to curing herring ?

Mr. PREFONTAINE. We intend to test an improved mechanical process in the curing of codfish.

Construction and maintenance of experimental works for the reduction of dog-fish, $60,000.

Mr. R. L. BORDEN. We would like to hear something about this vote.

Mr. PREFONTAINE. It is provided that $50,000 will be spent in maintaining these establishments in the maritime provinces, and $10,000 in British Columbia. From the information we have already acquired we hope that the results of these experiments will be successful.

Mr. R. L. BORDEN. It was stated by a member from British Columbia last session that they profitably made use of these dog-fish for commercial purposes, without assistance from the government. Has the minister investigated that ?

Mr. PREFONTAINE. Yes, and the result of the investigation is that the concern which was conducting these operations threatened to close up their works, and we found that they were in a very bad financial position.

Mr. R. L. BORDEN. Has the minister any opinion as to whether this vote had anything to do with their threatening to close up ?

Mr. PREFONTAINE. We have agreed that we will guarantee the British Columbia concern against loss to the extent of $10,000 for the operations of the year. I may say that in British Columbia it is absolutely necessary to maintain works of that kind on account of the large salmon packing concerns. It is necessary that all the debris from these factories should be gathered and treated for fertilizing purposes at a certain point. This factory has been in operation for the past two or three years and has had very poor success, and it stands to reason that in helping them through we are helping the salmon fisheries, because if something of this kind was not done I am quite sure we would be obliged to establish works of this kind in order to protect the public health.

Mr. R. L. BORDEN. Why should the government go into the business of treating salmon offal. I thought the salmon business was a very profitable one and did not need assistance, although it might be necessary to provide for the disposal of the dog-fish.

Mr. PREFONTAINE. They are doing both. I have seen in the nets thousands and thousands of dog-fish caught and they are put back into the sea. When we have these reduction works there is an inducement for these fishermen to keep them, and that is what we are attempting to do in British Columbia as in the maritime provinces.

Mr. ALEX. JOHNSTON. Has the department taken steps to inquire whether or not these dog-fish can be canned as other fish are and a market found for a considerable number in that way ? I would ask if a proposition of that kind has been made to the department looking to the establishment of a canning factory for dog-fish ? The matter is well worth looking into.

Mr. PREFONTAINE. This is going on at the present moment in a small way and we intend to carry on the experiments on a larger scale. We are having some of these dog-fish prepared and packed sent out to different countries to find if possible a market for them. That is done in some other places and people who have tried dog-fish flesh have found it to be wholesome and there is no reason why we should not prepare these fish as they do in other countries.

Mr. R. L. BORDEN. Do I understand that the minister intends to try it on members of parliament first ?

Mr. PREFONTAINE. If they want to try it it is their own business, but I do not want to impose it on them.

Mr. E. M. MACDONALD. Might I ask how many reduction establishments the minister intends to arrange for in Nova Scotia and whether they will be in various parts of the maritime provinces ?

Mr. PREFONTAINE. At the present moment it is more of an experiment than anything else. This year we propose that there shall be two in operation, one at Canso and one at Cape Sable.

Mr. R. L. BORDEN. There have not been so many dog-fish this year ?

Mr. FIELDING. The debate scared them off.

Mr. PREFONTAINE. No, there is a very small number of them this year.

Mr. R. L. BORDEN. Perhaps if you just made believe to have these establishments they would not come around the coast.

Mr. PREFONTAINE. We would not spend the money then.

Lighthouse and coast surveys, further amount for Parry Sound, buoy depot, $15,000.

Mr. PREFONTAINE. This is to provide for the administration of the Parry Sound buoy depot which was established last year.

Salaries and allowances lighthouse keepers, $25,000.

Mr. PREFONTAINE. This is to provide for the salaries of the new lighthouse keepers that may be appointed in the course of the year and also to provide for an increase of salary for the lighthouse keepers all over Canada from the Pacific to the Atlantic. It has been represented to me, and I have come to the conclusions that the representations were well founded, that the lighthouse keepers were not paid what they were entitled to and orders have been given that a general list should be made of the lighthouse keepers in the different parts of the country and that we will try to adjust their salaries so that they will be sufficient. Some are paid only $50 a year and others $300. Of course those who are paid $50 have little to do and others who are paid $300 have to devote nearly all their time to the work. Others are paid more than this because they are on islands far from settlements, and have to provide themselves with every necessity of life. It is a matter which deserves the attention of the government and of the department and I think the amount of $25,000 is not an excessive amount to provide for the new lighthouse keepers and also for equalizing their salaries. Of course whatever will not be required will be returned to the treasury.

Construction of lighthouses and aids to navigation, including apparatus, $675,000.

Mr. PREFONTAINE. This is the most important item of my supplementary estimates. It is to provide for a renewal of the greater number of the most important lights on the route of the St. Lawrence, and also to provide for better lighting on the lakes and on the Atlantic coast. The amount which will be required to perfect this service will be about $2,000,000, according to the reports of my officers. We have reduced the amount to $675,000, which will cover all that we can do during the present season. Some of the apparatus are very complicated instruments, and it takes a very long time to have them constructed, installed and put into operation. Most of the apparatus are not built in Canada. We have to secure them from the best makers in England and in France. After these installations have been made, the St. Lawrence route from the ocean will be almost completely equipped, and Canada will compare with any other country in the world in this respect. As a result, we think the insurance companies will reduce their rates more and more from year to year. We have already in 1904 obtained a reduction of twenty per cent, which amounts to about $750,000 of saving in one season on the cargoes and hulls of steamers. We think we should obtain a reduction of fifty per cent, and when we do, our ports will be on the same footing as the ports of New York, Boston, Newport News, and all the Atlantic ports of the United States. I may say that every item of this vote of $675,000 has been recommended by the Lighthouse Board, the Shipping Federation and every one connected with navigation. I think that with this expenditure, made chiefly on the St. Lawrence route, very little will be required in the next few years to complete the work.

Mr. R. L. BORDEN. How much of this is to be expended on the St. Lawrence, and how much on the lakes?

Mr. PREFONTAINE. I have not the details here, but if my hon. friend will allow me, I will lay on the table to-morrow a statement of the exact division of this expenditure, giving the location of each lighthouse, the kind of apparatus to be installed and the estimate for each.

Mr. HENDERSON. May I ask the minister if in this list he will be good enough to include the lighthouse which he promised two or three years ago at the village of Bronte? It will not cost more than $200 or $300. I think I had the promise of the hon. gentleman on two or three occasions. On one occasion, when I explained the necessity of the work, he admitted that I had made out a good case, and I hope he will now give me the assurance that I can take home with me, that this lighthouse, which is very urgently needed, will be constructed.

Mr. PREFONTAINE. I am glad to assure the hon. gentleman that, as I said last session, as soon as the pier which is being constructed by the Department of Public Works is finished, the light will be installed.

Mr. HENDERSON. I am glad to hear that, only I regret that the Minister of Public Works is perpetuating the construction of the pier to such an extent that I fear we shall all be 'oslerized' before he gets through with it. However, I am delighted to receive the promise of the hon. minister.

Mr. J. J. HUGHES. I wish to bring to the notice of the hon. minister the importance of placing storm signals at some of the lighthouses, especially the more prominent ones on the headlands. At present storm signals are placed in the harbours, and are for the benefit of seamen contem-

plating going to sea. Storm signals at the lighthouses would be of very great advantage. They would serve as notices to seamen to make for shelter when a storm is approaching, and would indicate the direction from which it is approaching, particularly at night. Any mariner, I am satisfied, would agree that they would be a great assistance to shipping, and I hope the hon. minister will bring the matter to the attention of his officers.

Mr. PREFONTAINE. I may state that wherever it is considered necessary to install these storm signals, it is done. Of course, I do not know the special case to which the hon. gentleman has referred, but whenever a storm signal is asked for and it is decided by the Lighthouse Board that it should be provided it is provided. If the hon. gentleman will let me know where any are required, I will attend to the matter with pleasure.

Further amount for wages and building new ice boats, $12,000.

Mr. PREFONTAINE. This is to provide for these ice boats and for the renewal of some of them between Cape Tormentine and Summerside.

Mr. R. L. BORDEN. You do not need these if you have a proper steamship service.

Mr. PREFONTAINE. We shall not be able next winter to have a proper steamship service, and we have to provide for what is considered to be necessary.

Subsidies for wrecking plant for the maritime provinces and British Columbia, $20,000.

Mr. R. L. BORDEN. Where do you propose to subsidize a plant in the maritime provinces?

Mr. PREFONTAINE. At the present time North Sydney is the point considered most favourable. In British Columbia, I think it is Vancouver. The matter will be decided later on, because tenders will be asked.

To provide for the maintenance of vessels employed in patrolling the waters in the northern portion of Canada, also for establishing and maintaining police and customs posts on the mainland or islands, as may be deemed necesary from time to time, $65,000.

Mr. PREFONTAINE. This is the ordinary amount to provide for the crew of the 'Arctic' who are to remain in Hudson Bay, and to provide for the relief boat which will sail by the 20th of this month to carry to that expedition coal and provisions.

Mr. R. L. BORDEN. What is the annual cost of this? And how many posts are provided for?

Mr. PREFONTAINE. I think that is mentioned in the report of Major Moodie, published in the report of the Department of Marine and Fisheries; but I will ascertain the facts and give the information to the committee.

Mr. R. L. BORDEN. This is for the purpose of maintaining jurisdiction?

Mr. PREFONTAINE. Yes.

To provide for the construction of a patrol boat for the Northwest Mounted Police in the Hudson bay, $40,000.

Mr. PREFONTAINE. After the Arctic expedition shall have been finished, the 'Arctic' will be brought back. It is the intention of the department, jointly with the Mounted Police Department, to maintain a patrol boat on Hudson bay, and this is to provide for its construction. This boat will be constructed by Canadian labour, and it is expected that she will be sent out next season.

Mr. R. L. BORDEN. What will she do?

Mr. PREFONTAINE. She will be used by the police for their work on Hudson bay and James bay.

Mr. R. L. BORDEN. Is there anything practical to be done?

Mr. PREFONTAINE. The police will look after the policing of that vast section of country. They will see that the customs duties are paid, that peace is maintained and that the laws of Canada are respected.

To provide for the organization of a naval militia and expenses in using the cruiser 'Canada' as a training ship, $10,000.

Mr. R. L. BORDEN. How is the mutiny developing?

Mr. PREFONTAINE. The mutiny is out of sight. We have replaced the men who left the service on the 'Canada.' The boat is being used in assisting an effort to establish transatlantic postal service in a shorter time than at present.

Some resolutions reported.

Hon. W. S. FIELDING (Minister of Finance) moved the adjournment of the House.

Mr. R. L. BORDEN. What business will be taken up to-morrow?

Mr. FIELDING. We may proceed with the Bills that are on the order paper. We will then take up supply. The bulk of the estimates remaining are those of the Minister of Public Works.

Motion agreed to, House adjourned at 1 o'clock a.m., Tuesday.

HOUSE OF COMMONS.

TUESDAY, July 11, 1905.

The SPEAKER took the Chair at Three o'clock.

SECOND READING.

Bill (No. 191) respecting the Joliette and Lake Manuan Colonization Railway Company.—Mr. Piché.

FIRST READING.

Bill (No. 197) to amend the Adulteration Act.—Mr. Bergeron.

HALF-BREED SCRIP.

On the Orders of the Day being called,

Hon. FRANK OLIVER (Minister of the Interior). I beg to lay on the table a further instalment of the papers in connection with the scrip inquiry.

Mr. FOSTER. I would like to ask the hon. minister if that fills the whole request ?

Mr. OLIVER. That fills the whole request as far as we understand the direct request. Of course, these requests touch a large number of other files, which, if the hon. gentleman insists, we will have to produce, but it will mean some 200 or 300 individual files, which, as far as we can judge, are not necessary to the answering of his question. We believe we have answered his question fully with these papers which are now in his hands.

Mr. FOSTER. I will try to go over these as soon as possible, and if there is anything missing I will let you know.

MILITIA ACT AMENDMENT.

House resumed adjourned debate on proposed motion of Sir Frederick Borden for the second reading of Bill (No. 170) to amend the Militia Act.

Sir FREDERICK BORDEN (Minister of Militia and Defence). Mr. Speaker, we have had two discussions on this Bill, and at the last one it was understood that it would go over until the explanations were made upon the militia estimates. I hope that these explanations were so satisfactory that the Bill may now take its second reading without discussion.

Mr. FOSTER. The mass of information that was placed before the House has made it impossible for me, with the other work I had on hand, to give it the careful attention that I would otherwise like to have done.

There are certain things which I notice with reference to this which seem to me to be at least worth very careful consideration.

The first thing that strikes me is the immense disproportion between the officers or staff and what you might call the working part of the force, whether it be the active militia or the permanent corps. In 1904 the total estimates for headquarters' and district staff pay amounted to $81,249, while now it is estimated at $125,000, being an increase of $43,751 or an increase of about 50 per cent. As to the working force which this tariff is chiefly to guide and command we find that the annual drill provided for is $700,000 in 1904-5 and $635,000 in 1905-6, showing a decrease of $65,000. I think the minister said that probably a supplementary vote would have to be added for drill purposes for the year 1905-6 which would make the total $50,000 more than it was in 1904-5. Well, officers are good ; they are indispensable, but officers alone can neither fight the battle nor gain the victory. It is the men who are under them who have to do the fighting and either win the victory or stand the defeat. I am not too sure of my ground, on account of my lack of knowledge of militia matters, but it would seem to me that there has been an inordinate increase in the head while the body has been left to get nearly as slim as before. The minister says : that is true to that extent, but we are going to increase the establishment of the active militia up to 100,000 ; we are going to have 55,000 or 45,000 drilled almost at once; we are going to gradually increase that until we have an active militia effective of 100,000 and when that takes place we will need all these officers and all this staff to provide the directing and the drilling machinery. The criticism I make is much in the line of that made by my hon. friend from Norfolk (Mr. Tisdale). I think the head has been pushed forward a little too quickly and a little too extravagantly, and that the body has been left to follow along a little too slowly. If I read anything out of the Boer war and the Japanese-Russian war, taken in connection with our own position in Canada, it seems to me the lessons we read are something like these. Canada has no business aiming at in the future and laying lines at the present time with any idea of organizing an offensive force; the furthest distance the men in authority in Canada have the right to go is to appeal to the people and to prepare the machinery and to take measures which will put Canada in a good defensive position. I do not imagine that there is any jingoism latent or displayed in Canada which would ever think of Canada undertaking offensive operations. What we want to do is to organize for the defence of Canada on her own soil. The lesson that has been taught in the recent wars is that the defence of the country is comparatively much more easy now than it was supposed to be in past times, and that if you have a really formidable body of men who are somewhat used to discipline and understand the use

of arms, it is a very enormous undertaking for a people of 40,000,000 or 50,000,000 to enter a country of one-tenth or one-fifth of that population and wage a successful war of subjugation. That reinforces the idea I started out with, that all that we should attempt to do in Canada is to put our forces into a fairly and reasonably secure defensive position. There is another thing taught by this last war, and that is that if you have an equal body of soldiers on each side contending for mastery, that army which has the least efficient and defective big gun service will be wiped out. As a layman it seems to me that before you can get where the small arm will have any marked effect, you have got to overcome the power of the long range gun. That was proven in the battles between the Japanese and the Russians. Every great conflict was largely fought as between the heavy artillery of the two armies, and it was when the heavy artillery had done what it was supposed was its perfect work, that the small arm came into play. I am led to ask myself this question: where does Canada stand in both these respects? A scheme on paper does not amount to very much except as pleasant to look on. What we want is an effective service. Suppose that to-day a call to arms were sounded in Canada, where would we be in the matter of effectiveness; how many men are there actually able to rally to the colours, obey commands and shoot straight if they were called to active service at this particular moment. If you raise 30,000 men and put them into the field, where in the name of Heaven would you get a supporting force of big artillery to afford a shelter under which these men would do their ultimate effective work. Is it not on these two branches of our force that our money ought to be chiefly expended and that our efforts ought to be chiefly directed? So far as we in Canada are concerned if ever we are attacked by an enemy it will be on the land side. So long as Britain retains her power and so long as we and Britain retain the relations we now have—and that will be as long as we live and as long as many generations after us live, I fondly believe—so long as that is the condition of things Canada has little or nothing to dread on the side of the sea. Granted that your British fleet is at its base under the present arrangement, such is the state of intelligence and so widespread is information gathered and so quickly sent, that it would be impossible for any power on earth to send a fleet to operate against Canada before the British fleet could be at our ports to give us effective assistance. That power that could most easily do it would be the United States of America, and from all seeming circumstances now the United States is the last power with which we would be embroiled in anything of that kind.

Even in the case of the United States it would be impossible for things to reach such a pass that she could send a fleet and land an army on our shores before a British fleet, with knowledge of the fact and with swift sailing powers, would be here to give its proper assistance; and apart from the United States no other nation in the world could do it. Russia is practically eliminated from the Pacific ocean at the present time, and it will be many a long year, maybe a century, before a Russian fleet will be a menace to any power on the Pacific ocean. The Japanese fleet, the United States fleet and the British fleet will be the controlling naval forces there. At the present time there are not any seeming dangers from either Japan or the United States. Britain is in absolute alliance with the one and has a friendly alliance with the other, that of amity and perfect good feeling. Eliminating that, then, it does not seem to me that it is wise for Canada to spend much of her money or time in looking for a fleet down to the range of common sense—what can we do with a fleet? If there is a menace from a fleet like that of Japan or that of the United States—and they are the only two who could menace us—it is absolutely impossible for Canada to put up a fleet which could cope with either. The better way, it seems to me, is to maintain the present relations between Great Britain and Canada with reference to the fleet. If we think we are able to do it, and feel enough pride to do it, we ought to co-operate closely with Great Britain in the matter of naval defence, putting that branch of the work on Great Britain, and making our contribution to the expenditure if it is necessary, in connection with Great Britain, as we can afford to do, in order to sustain our proportion of it so far as we possibly can. I come back, then, to this, that it is on the land side that we must be prepared to defend ourselves; that we can only hope to defend ourselves in Canada by means of a large militia, and that every effort should be bent towards having a large and active militia force, not less than 100,000 at the very least, and gradually building up a reserve behind that. I suppose reserve means men who have passed through drill and service, and are laid off the active service and fall into the reserve line. That will gradually widen and strengthen itself as the years go by, and as the less active men fall out of the active service and go into the ranks of the reserve. That you cannot force; it will be fed from the active current of the militia. But what we ought to strive to do is to get at least 100,000 good rifles in the active militia—well drilled men; not men who have necessarily passed much time in barracks. I do not think modern or future warfare will take that much into account. I believe that under the new conditions the useful men will be those who have resources and adaptability in themselves, who are not unused to the word of command, who have some knowledge of group-

ing and discipline, and who know how to handle and take care of guns. That to my mind should be the prime effort, and every dollar that we spend on useless furbelows, on too expensive staff management, with too high salaries, and every dollar that we spend on expensive armouries, is so much taken away from the strength of the force. Armouries will never fight for us. They are good in their way; they provide a home and an incentive to the men; but, after all, if you are to choose between armouries and men for the purposes of defence, until you get the proper line of defence, you had better dispense with some of the armouries, and put so much more money on the men. When you get 100,000 good men in Canada on an active service footing, then, if you have the money, you can spend a little more on armouries, on making the men more comfortable, on increasing the recruiting interest. I know that it is a good argument to say that if you have these things, you encourage men to become militiamen. So you do; but I want to keep the proper proportion between the two. I wish to state—and the statement coming from me will not cause much dismay, because I am not an authority, I am not a Lord Roberts—that my belief is that Canada to-day, if the crisis came, would be found to be mightily poorly prepared to face it. How much ammunition have you behind your force of 30,000 odd to engage in a year's conflict with an enemy? How many rounds per day have you behind the 30,000 or 40,000 men, and what have you back of that to replenish your stores? What great guns have you to protect and cover our militia force? It is there where we ought to put our money and not in other things. That is not a very well considered criticism, but it is my criticism, and it is all included in this one single sentence: make sure of the essentials first, until every Canadian can feel that he has at least a militia force of 100,000 men behind him who are ready and able and efficient to undertake the defence of Canada; that he has behind that force a covering power of guns which will enable it to do its work without being slaughtered at long range by an enemy superior to us in long range guns and in the methods of handling them. Let us be sure of that first, and after that we can go on with the other parts of our service in a more expensive way. Now, I would have taken, and eagerly taken, the offers of the British government to take hold of Esquimalt and Halifax, and keep those two ports in an efficient condition, as the British government and naval authorities know how to do, and are able to do, without one thought of the expense or the expert power and ability that are necessary, replacing the worn-out or the superseded article with the new invention which in power and range and accuracy overpowers it and renders it useless in a conflict. That they could have done and would have done, and we would have been at less cost and expense than we shall be put to under the present arrangement. These ports are naval bases, if they are anything. They are no good to us in the way of defence unless they can be defended against an incoming enemy, and the only defence against an incoming enemy from any sea line would be an efficient fleet. They are the bases for the fleet, and if danger on the Pacific or the Atlantic threatened those who read the signs in Great Britain could place in either of these seaports a fleet of vessels which would find their active and sympathetic bases ready and open for them; and thus we would be protected in our two great frontier ports. $1,000,000 would have done that for us. $2,000,000 will not in the near future do it for us under our own management; and we will not do it so efficiently. More than that, I confess to the sentimental objection that it is with sorrow that I see the last British tar and the last British soldier go away from the shores of Canada.

I do not want them in the interior parts of our country where our police and our militia will do the work as well and better and more sympathetically, but I do not want to think that we have any spirit in Canada, be it of bravado, foolish bravado or a mock independence, which would lead us to a policy which would say: Let Great Britain go; let her flag cease to float over this country; tell it to the nations everywhere that we have not left in Canada from this time forward a single link of defence co-operation with the old British empire to which we belong. Tell it and your prestige sinks at once; tell it and the menace heightens and grows from that time forward for the nations will think: Ah, then, Canada and Great Britain are not as they used to be; we have an unprotected country to deal with now. It was a tower of defence for us that those outside knew that if one single Canadian interest were touched the heart of the British empire would throb to its centre sympathetically to defend that interest. That was something for us, and it was something for us to feel that we had the hand and power right here by us to clasp our hand in the defence of the country and in the general strengthening of the country against insult and menace from abroad.

On those two counts I criticise the policy of the government. I think they were wrong in believing that they would be becoming less independent if they agreed to a co-operative agreement with Great Britain. That would have been done under their own proffer, no proposition was made to the Canadian government by which a British war minister could take out of Canada one soldier unless the Canadian government proffered assistance or the man volunteered for himself. That is not a slaughter of independence; that is no argument that we would

not keep our self-respect and it would be a good thing for Britain to feel that in her righteous wars—if they should ever come and they sometimes will—she would have the backing and interest of her colonies behind her, and would have distinctive cohorts of those colonies fighting in her ranks under the flag for the common benefit. If that is a benefit to the empire at large, it is equally a benefit to us here in Canada to feel that whilst we give of our smallness to the extent of our ability in Britain's righteous wars, at our own will, voluntarily and only voluntarily, we will have in return for that the feeling that Britain and Britain's colonies stand side by side with Canada in any just and righteous quarrel for offence or defence. Therefore, I think it would not have been a matter of insuperable difficulty to arrange for Canadian militiamen, being to a certain extent so drilled and so formed and so arranged by the rules and regulations here, that if that occasion ever arose as it did in 1899, there would be a body of 10,000 or 15,000 or 20,000 men, if Canada thought the quarrel just and if the Canadian soldiers desired to go, who would go to help Britain do what? Make herself strong for Canada's own defence, for it is absolutely true that the defence of the colonies is in proportion to the strength and power of the British empire as a whole, and when a part of it is menaced in any quarter of the world it weakens the defence of Canada and every other colony of the British empire. Now, 'them's my sentiments,' and I have given them in a rough way. This is my criticism and I still counsel the Minister of Militia to pare down in so far as the expense of the headpiece is concerned, not that we do not need it and need it efficient, but let us be very sure that we have not more of it and that it is not more expensive than we now require. Build up the body which actually does the fighting. You may have the highest paid officials possible; you may have the most splendid officials you can get, but that does not make the military spirit and fervour amongst our people. We have got to cultivate the militiaman himself, that is the body in which you have to evoke enthusiasm, and that you have to interest in the defence of your country. It is not altogether the best way to do this to make too expensive a headpiece for the military system of this country. I am sincerely sorry that we did not take the offer of the British government to keep up these two ports of Esquimalt and Halifax and I shall be extremely sorry if we do not put the best of and the strongest of our efforts on the line of the active militia and of the gun service necessary to make them effective.

One word more. I hope that permanent force will be kept down just as small as it possibly can be. We cannot keep a large standing army. If you keep 2,000 and if this is all that is necessary for your instruction, what great good is another thousand of expensive men who are kept within barracks all the year going to be? For fighting, for battle, they would amount to very little, but they would cost a great deal, and what you would spend on a couple of thousand permanent force, not absolutely necessary for teaching purposes, would go a long way towards filling up the ranks, the shadowy ranks at present, of that 100,000 active militia which everybody admits we ought to have.

Mr. WM. ROCHE (Halifax.) I am encouraged to offer one or two observations this afternoon, because yesterday afternoon I had the pleasure of hearing from my friend from East Grey certain observations which he said were not technical nor derived from any military knowledge, but simply from the observations of a man who had been accustomed to exert common sense. Of course those who have spoken on highly military topics dealing with all the technicalities belonging to that profession occupy a higher region than that any which we can hope to penetrate. But when it comes to common sense perhaps individuals conversant with the ordinary affairs of life may be able to offer some observations which will assist us in the formation of an opinion as to the practical means for the defence of the country in which we are all interested. I for one come from one of the places which have been mentioned, and I have had some opportunity of observing both the British army and the British fleet, and I have also heard a great deal about them in former times from those fully conversant with the operations of both army and navy. With regard to the observations of the hon. member for North Toronto (Mr. Foster) he is the exponent of a new system of tactics. He has said a great deal about the expensiveness of the head, that it is too far in advance of the body, &c. Of course my friend is alive and he has a great advantage over others who have preceded him and who are dead. But if I remember there is one who was considered quite an adept in war and something also of an expert in tactics, that was Emperor Napoleon. He said: Good God, my victories were all made in my head. I had carried at the end of my arm my head and I gained my victories whilst the others were going about; all my attacks were formed in my own mind and executed mechanically by others whom I had intrusted with the duty of carrying out my instructions. My hon. friend said that safety consisted in defence.

Well, the authority I have quoted, said that safety always consisted in being the attacking party—be the first to begin the battle. Now, referring to modern history, which is within our ken, I would ask my hon. friend from North Toronto on what part of the Boers' land they conducted their defence. I would ask him in what part of the Japanese territory the defence of the

Japs is conducted. Why, these people knew what modern skill and science said to the practitioners of the art of war that safety lies in carrying the attack as far away as possible from the home position. What do we see in the history of America? America was wrested from the power of Great Britain by the French fleet under the Count De Grasse; and the control of America was wrested from France by Rodney in the West Indies, when he fought the French fleet off St. Eustatia, thus enabling him to break the French fleet and establish Britain's control of the ocean. These operations were conducted at the utmost distance from the home line.

Well, I take it that the present action on the part of the government is not voluntary. I believe it is due to the action of the British government in withdrawing both the troops and the fleet from Halifax. The fleet is withdrawn because it is considered that the home fleets are not adequate to the control of the situation in Europe. So, they are carrying out the plans of some of the modern statesmen in England. I am sorry to say that England to-day is under the guidance of fourth-class statesmen. They would concentrate Britain's power to cover the Mediterranean and to meet any menace on the part of Germany. They carry out a policy that will enable the fleet to protect the British Islands and British trade. They are prepared to move the fleets from Halifax and the West Indies and concentrate them in a strategic position to cover the home line. What would become of us in the event of war? Suppose we gave our million to build new ships—for it is confessed that about half the British navy is obsolete, rotten and worthless, and about half their guns no good, so that it will require a vast expenditure of money to bring the navy to a state of efficiency and give proportionate control with the fleets of Europe—suppose we give our million or two million, or whatever it may be, and war came on. The ships would be withdrawn, and we should be left to improvise a navy, as well as an army, and take such means as are necessary to defend our own country. If we had a guarantee that the British government would defend us—if we knew that was part of their policy to defend the colonies; or if we had some insight into what their military and naval program for the future is, then my hon. friend from East Grey (Mr. Sproule), and even I, might be able to form an intelligent opinion as to how we could assist that policy. But without that knowledge we are completely in the dark. Canada would be left, as the provinces were in old times, to defend ourselves as best we could. That is what took place in what was then Canada. And the same took place on the maritime shores of New Brunswick and Nova Scotia. I remember hearing, when young, the details of the noble actions fought by the privateersmen of Nova Scotia who took their lives in their hands, fitted out their own vessels, fought both the Americans and French, and protected our shores, when an important portion of the British fleet was withdrawn to the coast of the United States the West Indies and elsewhere. And so it may be again. Great Britain may not be able to give us adequate military and naval forces; and we are wise looking to the future to commence what may be the nucleus of a permanent force. I know quite well from history and otherwise, what a native force of riflemen can do. For instance, there were the 1,500 Kentucky riflemen, who in New Orleans combatted the best regiments of Great Britain, veterans of the Peninsula, commanded by Pakenham, a lieutenant of Wellington himself. These men kept back the 42nd, the 28th, the 95th and other veteran Peninsular regiments that were thought to be invincible. And what they did such men can do again. The most formidable force known is a body of military men in ambush lying prostrate and in irregular order. If I were Minister of Militia—which I will never be—I would begin by putting the troops under my command through evolutions of the sort necessary in actual warfare. I would not have them go about the cities in scarlet uniforms and flashy toggery, marching up and down, forming fours and so on. I would send them out on expeditions such as they would require to go upon in defending the country. I would give them practice in the sort of guerilla warfare that would make them most formidable against a regular regimental force.

Now, on the subject of great guns—and I talk of that because while my hon. friend from North Toronto (Mr. Foster) is a small armsman, he is a great gun also—I would ask that hon. gentleman what resemblance there is between Canada and the Boers' land. I want to ask him if we have any of these mountains that exist in that country. The hon. member for Victoria (Mr. Sam. Hughes) is here and he can describe the topography of South Africa. And what resemblance is there between Canada and Manchuria. Where have we the mountains like those from which, in that country, the great guns were played. Now a military man like my hon. friend from North Toronto would go into the field and apply tactics totally different from those that seem to be followed by all other authorities in modern war. Well, I think he would be as much at sea as others who have unsuccessfully attempted to defend countries in different parts of the world. For my part, I would rather take one who has had experience in war than a man, who, however well versed he may be in the literature of military affairs, however, he may have studied the details of battles and sieges, whatever he may have learned, from books, of ammunition and transport, however skilful he may be in casting accounts and making tabulated statements of expenditure so as to show the exact cost for every

man—I would rather have a fighting sergeant from one of the regiments, than my hon. friend from North Toronto with all his knowledge and experience.

Mr. FOSTER. If I may be permitted a word I would just say that I should sincerely deplore it, from a patriotic standpoint, if by any means this speech of my hon. friend from Halifax (Mr. Roche) should become known on the other side of the line; for they would certainly send a commission to yank him over there and take command of their forces.

Mr. W. ROCHE. I do not know that my speech would do more damage than that of my hon. friend (Mr. Foster).

Mr. SAM. HUGHES (Victoria). I regret that I was not here yesterday to hear the words that fell from the lips of the Minister of Militia (Sir Frederick Borden). But I suppose I have had a partial repetition of them to-day by the hon. senior member for Halifax (Mr. W. Roche). Now, this Bill is to bring before us a proposition to increase the standing army of Canada to 5,000—that I understand is the proposition in a nutshell.

Sir FREDERICK BORDEN. To increase the permanent force.

Mr. SAM. HUGHES. In so far as the increase is rendered necessary by the acquisition of Halifax and Esquimalt, I may say that I endorse it. I have formerly stated that I would much prefer to see the Canadians constituting these garrisons sent to Gibraltar or Portsmouth or some other part of the empire, and that the British regulars might still have remained in control of these centres. However, it is not necessary to enter into a discussion of that aspect of the case, I have presented my views on that subject on a former occasion. I am more and more a believer in a full partnership union of Great Britain and her colonies, and until we become full partners in a political, in a commercial and in a military organization of the British empire some arrangement, possibly the same arrangement, must be continued in force, and our assistance to imperial defence will be more or less auxiliary rather than co-operative.

Now, I have always opposed, as the House knows, any large standing permanent force in the country. The permanent force occupies three positions. It is here as an educational institution, which is undoubtedly its primary object, or supposed to be. Now let us take the educational establishments in the city of Toronto. There are universities and high schools in that city that train upwards of 6,000 students. In those educational institutions the professorial staff and assistants of every description, do not number anything like as many as do the officers, instructors and men of the permanent military institutions in the city of Toronto; and the cost of the maintenance of the educational institutions of Toronto for training upwards of 6,000 young men, is nothing in comparison with the cost of training these militia officers and men in the country. Then in addition to being schools of instruction, the permanent force is also used as a police force. Well, Sir, I am on record in this House for many years as against the use of the militia of this country as a police force. I maintain when any municipality has been organized, the government should insist upon its preserving law and order within its own boundaries, and that the militia should not be called upon in any sense except in case of actual civil war, or a condition verging upon it, when the municipality absolutely loses control; then only should the militia be called out. I object furthermore as a taxpayer in my own locality where the people are all law-abiding, I object seriously to having a permanent force in this country which can be shipped around from point to point to do police duty. That is not what the men were enlisted for, that is not what they were intended for. When these municipalities have a little local riot in their midst, they call out the volunteers and pay them 50 or 75 cents each per day, whereas if they had to engage constables they would have to pay them $2 or $2.50 a day. Take a young man out of a dry goods store, for instance, and send him away to do military duty, and you only give him 75 cents a day, or possibly less; whereas if the municipality had to engage that same man as a special constable, they would have to pay him $1.50 or $2 for being used in that way. Therefore, I say, I am opposed to our permanent corps being used as a police force.

Then there is another aspect in which we should regard the permanent corps for defensive purposes, that is as a sort of nucleus of a centre whence we can get instructors in a sudden emergency. There is a good deal to be said on that aspect of the case. I do not know but that I would be willing to sanction a certain amount of increase in the permanent force provided we could not attain a similar object in a better way. But there must be no spasmodic system about the militia. There should be a military system in this country so organized that it would go on from year to year and generation to generation, automatically so to speak, and that we would not be called upon in case of emergency, to get a little rush on for a year or two and then fall back again into the old routine. How is it that our force is now kept up to its present position, to a large extent? Why, it is by the self-sacrifice of the officers, officers who have paid their own money for training, who give their time in the annual camp, give

their time in the recruiting of men, and in drilling them. Go down to the drill shed any evening, and you will find the finest young fellows in charge of these corps, giving their time every night for their own advantage and for the instruction of the boys throughout the city who belong to the various corps. These young men, I say, are sacrificing their time and their means, and they are undoubtedly one great factor in preserving this force up to its efficient state.

I also believe that there should be a permanent corps in the Northwest, a centre of mounted men, because our Northwest is peculiarly fitted for the raising of horses and for the raising of the feed for horses. I will take this opportunity of again urging upon the government the propriety of endeavouring to induce the imperial authorities to establish horse breeding establishments, not under the auspices of the Minister of Agriculture of Canada, nor under any other Minister of Canada, but under some independent board, perhaps a joint board composed of imperial and colonial officers under the management of some independent body. I would like to see large areas set apart for the raising of horses especially for mounted work. Undoubtedly if Canada is ever called upon to engage in a contest with our cousins across the border, that war will be waged to a large extent by the assistance of mounted troops. I would urge as an additional reason the fact that Britain, in the South African war, called on Canada for large numbers of horses. She may call on Canada again for large numbers of horses, should she become involved in another war. I would therefore instantly urge upon the government the advisability of setting apart enormous ranches in the Northwest where horses could be raised, and where farmers and horse breeders might have the advantage of a superior stock for the improvement of their horses. I shall not here enter into a detailed statement of my idea of what the military system of the country should be, it is on record in the 'Hansard' for many a year. In the first place, I would have all the boys in the country after the age of 12 years taught to drill. The fact that a boy is taught to turn to the right, and turn to the left, and turn about, when he is a mere lad, gives him a facility that he will never lose when he grows older. When the Prime Minister shouldered his musket, not the Saskatchewan musket, but the Fenian Raid musket, long years ago, he became so proficient that he would now shoulder it automatically. In the same way, if you train a boy when he is a lad he never forgets it. Train him to handle a lacrosse stick as a lad, and he remembers it until he is 60 years of age. Train him to catch a ball as a boy, and he will never forget it. Therefore I would give all boys in connection with the universities and the senior clubs and in all schools after twelve years of age a preliminary training along these lines. I would like to see the rural school boys trained.

In this connection let me point out, as I pointed out before, that there should be men from every company of the rural militia, or the volunteer militia, that there should be at least one sergeant in a country district in each township, or in a range of townships, set apart whose duty it should be to visit the public schools at certain intervals during the year and give the boys lessons in drill. There will be no harm in giving the girls drill also. Give them two or three lessons in sighting and bringing the rifle to the shoulder and in firing a few rounds at a target from a miniature rifle and in a very few years under a system of that kind, so far as training the boys in ordinary squad and company drill and so far as training them to sight rifles are concerned, the preliminary education of an army of riflemen would be accomplished at a minimum of cost to the nation. The hon. Minister of Militia is gradually progressing along these lines and I commend him for what he is doing in this direction. Then, having drilled them in this way, having proper instructors for drilling them, not from the permanent corps, but selected from amongst the sergeants in the militia companies, let the boys, as they get older, be formed into companies and let the companies be formed into regiments, batteries or squadrons as the case may be in every county in the Dominion. For the training of officers I would send these young men to the military schools as cadets, not as soldiers under military discipline, although they would necessarily be under a certain amount of military discipline while attending these schools. The result would be that a captain would be a cadet, a private would be a cadet, a sergeant would be a cadet and each would stand on the same footing; it would be an educational institution rather than a military institution. I would give to these boys the same freedom as that which is accorded to their brothers who attend universities and colleges giving literary, medical and legal courses, the same opportunity for self-control and for the development of manhood in their training. Let them go in as cadets and train them to handle a squad, battalion or squadron. When you have a boy of fifteen years of age who is capable of standing in front of a regiment—and there are many boys who have been quite capable of handling a company at the age of fifteen—he is a bigger man than if he stood in the ranks as a private. I would have every man in the ranks stand out in front of his squad and drilling them. Not only to be commanded but to command, should be the principle upon which we should go. Every man from the private up should be trained

to command as well as to be commanded. Then he will not be a mere machine and he will be fitted to take his place in action. These young men should receive a certain amount of training before they go into these military schools. At the present time two or three weeks are lost in training boys to form and turn when they should have learned these movements in the public schools. If you adopt the system which I propose you will be able to turn out 100 young men where you are now only able to turn out ten fairly well trained to take command. A system of encouraging these young men to go on from step to step should be adopted, but the great point I make now is that you should begin their military education while they are young and admit them to the military schools as cadets. A boy of fifteen years of age can leave his home and attend the military school for three months whereas a boy of twenty years of age cannot do it so easily. Young men should not be forced to give up three months of their time to attend military schools when they have reached a period of their lives when the necessary time cannot so well be lost as it can five years earlier in their career.

Another incentive in addition to that one is that what he learns young always comes back to the boy again. I would urge upon the hon. minister the advisability of reducing the age for allowing officers in. When I was honoured with the command of the regiment with which I was so long connected I encouraged every one of my officers to enlist boys of fifteen and sixteen years of age so long as they were able to fill the jackets, and I can say without fear of contradiction that no other regiment in the Dominion of Canada has ever stood so well as the old 45th. Let the boys begin their military training at an early age. One-fifth of the boys that climbed the heights of Alma were under twenty years of age. My hon. friend from Halifax (Mr. Roche) told how Napoleon had won his battles. Bonaparte won his fights not because of his training at all, but he won his battles because he led the young free men of the army of France against the old fossilized systems of Europe which had begun in the dark age of tyranny and superstition which had crushed Europe under their heel. The same system has kept Russia down. Bonaparte did not go around parading with ikons but he went around with boys who were capable of taking the field. That is why Bonaparte won his battles and not because he went around with an army organized on a system long out of date. I maintain that there should be twelve days of drill. I think twelve days is ample. Train the boy in forming and turning, give him the position with the rifle, let him practice it so that he can shoot off each shoulder, let the boy feel that he has confidence in handling the rifle and when the boy is twenty years of age give him twelve days in camp and with all due deference to those who have no use for the militia on active service let me say that I would have no hesitation in taking lads of that kind into an engagement under any conditions. Reference has been made to artillery and rifle shooting. Like Conan Doyle I have faith in the lad who carries the gun. Artillery has a splendid effect morally. It demoralizes the opposing force but it does not disable it. I have looked into the records as carefully as I could of the results of the war between Japan and Russia and they prove that in the engagements which took place and in which there was heavy gun fire three out of four of the men engaged were bowled out by rifle bullets. After all the weapon on which we must rely is the rifle and while artillery has a demoralizing effect, yet given 20,000 or 40,000 or 50,000 men along the Niagara frontier who are used to the rifle and who can pick men off at a thousand yards, it will take twenty times that number to oppose them. I believe in the use of artillery, I believe in the use of cavalry but as a defensive or as an attacking weapon I think the rifle is the weapon above all others upon which we must rely. I do not know that it is necessary to take up the time of the House any longer. The 5,000 men the hon. minister says, are necessary owing to the taking over of Esquimalt and the Strathcona Horse in the Northwest Territories. I would just merely, in passing, again urge upon the hon. minister the importance of the educational side of the military schools. I think that all these permanent schools should be less military and more educational, more like a university or college and that above all those attending them should not be employed as a police force. I would again urge upon the hon. minister to use his influence to do away with that system. The question has been largely discussed and I am glad to say that in the militia service we are doing away with a lot of those little petty tyrannies and restrictions which used to be enforced. In the old days our camps would be surrounded by men with fixed bayonets waiting to arrest some poor unfortunate fellow who had been out a little late with his girl or spending the evening with the boys in town. They would run him in and the result was that there was always trouble. But once the system of garrisoning the camp with sentries all around to arrest men who happen to be out a little late was done away with, the records show that men left to their own freedom are always prompt in returning and that they come in sober and steady. They are always in early. In the old days we know that one of the practices was for the men to deliberately stay out in order to try to elude the guards, to raise ructions in the camp to turn everything upside down.

I would again urge on the minister, and with special reference to the permanent corps, that wherever it is possible these restrictions should be relaxed. Let the men

be as free as the Lord intended they should be free ; let them not be subject to petty restrictions from sergeant, corporal or officer, who may want to exhibit a little brief authority. Let these restrictions be removed ; let the men, although soldiers, still be free men, and I am satisfied that there will be no cause for complaint on the ground of discipline. Discipline never was and never will be tyranny ; discipline is education ; discipline is polish ; discipline is refinement—restriction is the reverse of all that. Although there are one or two points in this measure that might call for criticism, I am not criticising adversely, nor will I enter into any lengthy discussion at this late period of the session. I urge upon the minister the advisability of cutting down to the lowest possible point the permanent force and to spend the money in developing our youth and in training our rural lads, who go out once a year for ten days to do service for the country.

Sir FREDERICK BORDEN. Although I have forfeited my right to speak, I hope the House will permit me to say a very few words. I think all will agree that the remarks which have fallen from the gentlemen who have just addressed the House are entitled to consideration. I am exceedingly glad that the opportunity has arisen for the House to hear the views of the hon. members for North Toronto (Mr. Foster), for Victoria (Mr. Sam. Hughes) and for Halifax (Mr. W. Roche). I do not disagree very materially with the remarks made by my hon. friend from Victoria and Haliburton (Mr. Sam. Hughes), and, as he was not here yesterday to hear it, he will be glad to know that a special effort is to be made in the near future to arrange some common basis by which all the schools in the Dominion can be some how or other brought within the range of the influence of military training and rifle shooting.

Mr. SAM. HUGHES. Hear, hear.

Sir FREDERICK BORDEN. The hon. gentleman from North Toronto (Mr. Foster) has said that he disagrees with our policy in taking over Halifax and Esquimalt, and, as I understand him, he disagrees from a sentimental point of view chiefly, because he states that he looks upon it as severing another link in the chain which binds us to the mother country. That has always been the story. From the earliest days, when this country began to agitate for responsible government, that objection has been offered. It was the objection offered last year when we amended the militia law, so that if we choose we could appoint a Canadian as commander in chief of the Canadian forces and be no longer bound to appoint an imperial officer. I do not think there is anything whatever in that objection. My hon. friend (Mr. Foster) asked : Are we going to let Great Britain go ? Certainly not. But, Mr. Speaker, we are going to let the tax-payers of the British Isles get a little relief from paying the bills which Canadians ought properly to pay. That is all we are going to do. Is that going to disturb the sentimental or the real loyalty or patriotism between this country and the motherland ? It certainly is not. Did the hon. gentleman reflect upon what the proposal of Mr. Brodrick was ? Mr. Brodrick's proposal was that one in four—which would be 10,000 men in the Dominion of Canada—should be specially trained and equipped, and that it should be understood that these men should be set aside for oversea or foreign service, subject, of course, to the will of the parliament of this country. I repeat what I said yesterday, that I objected on the ground that I thought it was a pity to create any special force in this country, and that it would lead to jealousies between that force and the ordinary active militia. I am to-day still strongly of that opinion. The hon. gentleman (Mr. Foster) says that things could have been so arranged on those lines that there would have been a force ready in Canada in the event of a repetition of the occurrences in South Africa ; in the event of Canada wishing at any time in the future to assist the mother country in a foreign war. Will not that end be even better served by increasing the efficiency of the militia generally ? If such a crisis should arise, it would be necessary that there should be a volunteer force whether we train that special 10,000 for foreign service or not, because, under our law, we could not compel any of our militia force to serve abroad. Now we are perfecting, or trying to do so, our militia ; and it will be much easier, I apprehend, in any time of future stress or trouble, to obtain a well drilled and efficient volunteer force out of the militia for such service than it was four or five years ago, when we had an opportunity of doing so, and did it so cheerfully. Therefore, I think that the objection of my hon. friend to our plan is not a real one. I think I understood the hon. gentleman (Mr. Foster) to say that if we were able to do so, he would be in favour of our giving a sum of money to assist in the maintenance of the British fleet. Well, Sir, it seems to me that it is infinitely better and infinitely more in accordance with constitutional methods that we should give that assistance by maintaining the naval bases at Halifax and Esquimalt, which have no other reason for their maintenence than the fact that they are naval bases. And naval bases for what ? For the British navy. It seems to me that the difficulties of my hon. friend are answered at once. We are actually doing the thing he would wish us to do, and we are doing it upon Canadian soil, and we are doing it in such a way as to meet with the approval of all self-respecting, self-reliant Canadians ; of all men who are unwilling that the British tax-payer, over-burdened now with taxes, should expend money for maintaining for-

tresses as naval bases on Canadian territory. I do not find any fault with what my hon. friend (Mr. Foster) said with regard to the militia. On the whole, his criticism was exiedingly fair, and we are agreed as to the object to be attained. He agrees with me that it is desirable we should have in Canada a force of at least 100,000 well trained, well equipped and efficient men. But he did criticise the disproportion, as he said, between the head and the body; between the staff and the main body of the force. I am perhaps not more than he is an expert in these matters, but I have had more to do with studying the question, and I can assure him that to-day the various staffs which make up the general staff of the Canadian militia are far below that of any similar organization—even taking the 50,000 force we now have in Canada—when you consider the large number of teaching depots—7 or 8—which we have, and which are the sources from which the education of the active militia is to be obtained.

The cost of the whole staff of the country, I understand, is about $80,000 out of the many millions which we are spending upon the militia in training, in maintaining depots and in the purchase of matériel. I think this is the smallest possible amount that would be sufficient for such a purpose. A head which is not well balanced, which is not complete, which, so to speak, does not possess all the bumps, is not very much good. You must have every branch, in embryo it may be, upon which you can build an army fit for the field; and you must have these officers constantly engaged in their duties, and gaining a constant experience which will enable them in time of trouble to take the field with advantage. The hon. gentleman has said that this should not be an offensive force. Certainly not. The very name of the force, militia and defence, implies what it is—a force, first, for the maintenance of the civil power in the country, and, secondly, for the purpose of repelling invasion.

Another question asked is, what have we got in the nature of heavy artillery? As I explained yesterday, it is not proper that details of that kind should be given; but I mentioned that guns have been ordered of the very greatest power and precision, and some of them have been delivered—guns which would be absolutely sufficient for the purposes required of them. Orders have been placed ahead for at least three years. I may say that there has been a delay in the delivery of the Ross rifles; but they are now being delivered, and I hope that by the time we meet again a very large number will have been delivered. We are to-day manufacturing 9,000,000 or 10,000,000 rounds of ammunition annually where a few years ago we manufactured 1,000,000 rounds. By working double time we are able in our government factory to manufacture 18,000,000 rounds of small arm ammunition in the year. Then, we have other reserves, and our reserves are increasing.

Mr. FOSTER. How many rounds do you use in the year?

Sir FREDERICK BORDEN. Between 5,000,000 and 6,000,000. I wish to say before sitting down that I have been greatly encouraged by the sympathetic manner in which this question of expenditure upon the militia and the work we have been trying to do has been met by gentlemen on both sides of the House. It augurs well, I think, for the success of the militia that a discussion so important as this, in which, if hon. gentlemen were anxious to look for opportunity of criticism, fair or unfair, they could no doubt easily find it——

Mr. BERGERON. Like the old times, when my hon. friend was in opposition.

Sir FREDERICK BORDEN. I was not one of the sinners, though. I say it augurs well, and I hope I shall be able to appreciate the treatment which has been meted out to me in this respect by trying to make myself worthy in the future of a continuation of the same treatment.

Mr. SAM. HUGHES. With the hon. minister's permission, I would like to mention a little matter which I forgot. He will remember that a year or two ago the idea of encouraging regiments other than city regiments to send representatives to the Dominion Rifle Association meetings was talked over; and it was suggested that each regiment should select in its own way two of its crack shots, whose expenses to the meetings would be paid by the Dominion government. Has the minister taken any steps in that direction?

Sir FREDERICK BORDEN. I have not; but since the hon. gentleman has mentioned it, I will see that the matter is brought to the notice of the Army Council.

Motion agreed to, Bill read the second time, considered in committee, reported, read the third time and passed.

FRANCHISE ACT AMENDMENT.

House in committee on Bill (No. 52) to amend the Franchise Act, 1898.—Mr. Fitzpatrick.

On section 1,

Mr. R. L. BORDEN. This is the Bill as to which I think I had some correspondence with the Minister of Justice early in the session?

Mr. FITZPATRICK. Yes.

Mr. R. L. BORDEN. I think it answers the purpose which both of us had in view.

Mr. FITZPATRICK. Yes, exactly.

Mr. BERGERON. How will this affect Manitoba?

Mr. FITZPATRICK. I apprehend that it will not prevent a subpoena being issued to the Clerk of the Crown in Chancery to produce the original list.

Section agreed to, Bill reported, read the third time and passed.

SUPPLY—BALLOT BOX FRAUDS.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. E. GUSS PORTER (West Hastings). Mr. Speaker, I desire to call the attention of the House to a matter which to my mind requires some explanation from the government. I had hoped to bring this matter to the attention of the House at an earlier stage of its sittings, but have not found an opportunity of doing so without interfering to some extent with the regular proceedings of the House, but the matter is of such importance that I feel warranted, even at this late stage, in calling attention to it. I have heard since I have been in this House many charges of very serious irregularities, of fraudulent or I might say criminal conduct on the part of those supporting the government in an endeavour to maintain themselves in power in this parliament. Corrupt as these charges have been in the past I believe I am safe in saying that during the last federal election held on November 3rd last an attempt was made which was partially successful to commit a greater fraud, a greater crime politically, than had heretofore been attempted by those on the other side of the House, or in fact by anybody, I refer to what is commonly known as the bogus ballot box fraud.

Prior to November 3rd, when the last federal elections were held, and just after the premier had passed by the force of those behind him his famous Transcontinental Railway Bill, and the not less iniquitous gerrymander Bill neither of which I am safe in saying found very much favour in the province of Ontario, very great activity was displayed on the part of the premier of the province of Ontario in his visits to the capital at Ottawa. It was not an infrequent thing in the latter days of last session and prior to the elections to see the then premier of Ontario visiting Ottawa, but prior to that time it had been a rather rare occurrence. As the result of those frequent visits and his association with different members of the government a rumour became quite rife in the country that some bargain had been entered into or some understanding arrived at between the premier of the Dominion and the late premier of Ontario by which it was stated that in the coming federal elections on the 3rd of November, the goods of the province of Ontario were to be delivered by the Hon. G. W. Ross to the premier of the Dominion. That report was published in newspapers throughout the Dominion, it was repeated and while of course I am unable to say and would not undertake to say whether such an agreement was actually entered into or not, I am safe in saying that although I followed the reports in the public press in that matter very carefully, I have never yet seen a public denial from any authentic source that such a bargain did exist. After the declaration of policy and of principles so frequently made in this country by the leaders of the Liberal party, and if I am not mistaken by the right hon. the Prime Minister himself, that provincial politics should be kept entirely distinct from federal politics, that there should be no intermingling of one with the other, it is hard to believe that such an arrangement or attempt as that to which I have referred and which was given expression to in the public press would be contemplated, much less entered into between the right hon. gentleman and the late premier of Ontario. But, Sir, the evidence which has come to hand since that rumour became current is such to my mind as to remove any doubt that might exist as to an arrangement of that kind having been made. I do not know whether it was knowledge of the disfavour with which the Transcontinental Railway Bill was received in Ontario, or the feeling of resentment against the unfairness and injustice dealt out to them by his famous gerrymander Bill that caused the right hon. gentleman to make an appeal to the premier of Ontario for help in the last federal election. It is impossible for me to say that, in fact it occurs to me now it may have been the force of habit on the part of the right hon. gentleman, because, if I am not incorrectly informed, this is not the first occasion on which the right hon. gentleman has turned his attention to the provincial premiers for help. It may be as in the case to which I refer the price that has been paid altogether too high for the shop worn goods that he has received, but nevertheless the facts remain that on this occasion there appeared to be a very strong alliance between these two premiers. I hesitate in believing that such an agreement existed because of this further fact. It is acknowledged, I believe, that the right hon. gentleman who leads the government is one of the keenest observers of political events perhaps in this country to-day, and I do not think he would feel overflattered if I observed, the keenest observer in the Liberal party.

That being the case surely the right hon. gentleman could not have failed to know

the fact that at the time when this arrangement is said to have been entered into, the ex-premier of the province of Ontario was practically discredited by the people of his own province. Evidence was given of that —sufficient, ample evidence—on January 25, last. I cannot understand how, in the face of that, the right hon. Prime Minister (Sir Wilfrid Laurier) could expect the ex-premier of the province of Ontario to carry out such an arrangement without resorting to some such means as those to which I am referring. The Prime Minister, (Sir Wilfrid Laurier) could hardly have failed to see the position in which the ex-premier of Ontario stood. No doubt he recognized the fact that the ex-premier had run many political races in that province and had been successful. But I am bound to say that in nearly all the races that the 'old war horse' as he was called, had run, he had finished the race with some blemish which very materially lessened his racing ability—such blemishes as the blemish of West Elgin, the blemish of Waterloo, the blemish of Manitoulin Island and the 'Minnie M.' and others altogether too numerous to mention. But, while the Prime Minister (Sir Wilfrid Laurier) may have noticed these blemishes upon the 'old war horse,' no doubt he also noticed some of the perfections which he and the party he led in Ontario had attained. It is amply proven by the records of the courts that the Liberal party in the province of Ontario, in the matter of switching ballots in the matter of stealing ballots, in the matter of burning ballots, had arrived at a state of perfection. They had even gone further and had arrived at a state of perfection in the manufacture of the ballot-box itself. So while the right hon. prime minister (Sir Wilfrid Laurier) may have noticed the imperfections on the one hand, he may have noticed these perfections on the other. And it is to the perfection attained in the manufacture and use of bogus ballot-boxes that I desire to adress my remarks this afternoon.

Now, the matters to which I have referred, to the extent that they have occurred in the province of Ontario and in regard to local parliament, more particularly concern the people of that province. But that to which I would call attention today, the actual use of the bogus ballot-box by the candidates supporting this government in the last federal election, is one which affects this parliament and this Dominion as a whole. In this matter, I speak not from surmise, not from imagination but from the sworn testimony which I hold in my hand, given in the courts of the province in the investigation of this matter. What I say, I say by the book. The evidence which I have here is not the only evidence of the perpetration of this crime, this fraud upon the electors, during the last campaign. I have here another piece of evidence—the bogus ballot-box itself. And, if the sworn testimony is not sufficient to remove all doubt, I think an inspection of this article will be enough to take the wrinkles out of the skin of the most hidebound Grit alive.

Just prior to the last federal general elections—about three days before polling day—came to my attention that a conspiracy had been formed between certain Liberal candidates at the then approaching election to steal, by means of this bogus ballot-box, certain of the ridings of the province of Ontario. When that information came to me, naturally I felt more or less alarmed, for I was told that the riding I had the honour to represent, the riding of West Hastings was one of those selected to be plundered by means of this machine. I am not at all surprised that West Hastings was one of those selected for plunder. It would be perfectly useless to depend upon the operation of such a machine as this in a riding that was known to be Liberal. It could only work to its fullest advantage in such a riding as West Hastings or the riding of my hon. friend from Frontenac (Mr. Avery) which had always—or at least for many years—consistently returned a Liberal-Conservative to this House. Such ridings would be particularly suitable for the use of a machine of this kind. Upon being informed that this fraud would be attempted, I put myself in communication with the different persons and employed every means I could to ascertain the facts; with the result, that two days before the election I succeeded in having divulged to another gentleman and myself the whole scheme. The information was given to me, I may say, by an official of this government. Perhaps I should explain exactly what I mean when I speak of this gentleman as an 'official.' The government, of course, have the right to provide the machinery by which elections should be carried on. The man who divulged this conspiracy was one of the deputy returning officers of that election—part of this election machinery. Now, I think, I may, in fairness, give the House the statement of that gentleman showing the scheme as divulged to me, inasmuch, as it is all repeated and sworn to in the evidence I have given.

The facts brought out in the evidence and by this official of this government are these: The Liberal candidate in West Hastings, one Byron O. Lott, and the Liberal candidate in Frontenac, one W. J. Shibley, with others had entered into a conspiracy by which certain ridings—for it was not confined to these two—were to be stolen in the way I have intimated. The whole scheme had been divulged to this deputy returning officer by Byron O. Lott, himself. The names had been given to him of certain deputy returning officers throughout the ridings who were to manipulate these bogus ballot-boxes. Our informant further stated, and I know it to be a fact, that his brother—for the deputy returning officer who divulged this scheme

was the brother of Byron O. Lott himself—Byron O. Lott had, on three occasions before this, been the Liberal candidate for the local legislature for the province of Ontario, for North Hastings, each time meeting with defeat. It was a well known fact in that part of the country that during the interval between these elections he was almost constantly at the seat of government in the city of Toronto; he could be seen almost any day of the week in consultation with ministers there, and hobnobbing with them around the house of assembly. His attentions were not confined to ministers, but he was bound to keep in good company, and on many occasions he might be seen with those two notorious Liberals, Vance and Sullivan, and no doubt received from them a part of the education which enabled him to perfect this scheme. At any rate, it is sworn to by his brother that he received such information as led him to perfect this box, he received that information in the office of Vance, in Toronto. The ballot box that was devised there differed a little from this one. It was worked with a catch on top of the box, by simply pressing it down the spring was released, and the false compartment of the box worked either one way or the other. That did not work well, it made too much noise, and it was too suspicious an article altogether. So they concluded that they would improve upon that, and the result of their improvements was the box which I produce here to-day.

That box was produced in the following manner: Mr. Lott and Mr. Shibley visited Watertown, in the State of New York, and there entered into a bargain with a tinsmith to manufacture a certain ballot box according to a design which they would furnish. They furnished a design, but the mechanic was unable to perfect the machine owing to his not having seen a genuine Canadian ballot box, and he desired to see that before he could perfect the machine. Accordingly these two worthies visited the deputy sheriff in the city of Kingston, who was the returning officer in the late election, and procured from him one of the genuine ballot boxes which they took to Watertown and put into the hands of this mechanic. This ballot box was exhibited in court, and it had drawn upon one side of it the form which the inner compartment of the bogus box was to take, in other words, a model of the bogus ballot box. When that was placed in the hands of this mechanic, after some labour, he produced this bogus box. While the box was being made—and I may mention this as it came out in the evidence—while this box was being perfected several visits were made by these candidates to Watertown for the purpose of seeing how the tinsmith was progressing with his work. On one occasion when the manufacturer thought that he had it just about right, and they made an inspection of it on one Sunday afternoon, Mr. Lott worked the box and put a few ballots through it, and turned to the manufacturer—that is sworn to—and said. 'I don't think that will quite do yet; the false compartment you have in this box for hiding the genuine ballots is not quite large enough to overcome the majority I will have voting against me in West Hastings, so you will have to make it a little bit larger.' And the sworn evidence is that the compartment was enlarged accordingly.

At that stage of the proceedings another gentleman appeared upon the scene, and he, together with Byron Lott's brother, was sent to Watertown to complete the negotiations. Some twenty boxes had been made for the county of Hastings and Frontenac, and these men were sent over for the purpose of paying the money and to provide means for the transport of these boxes to Canada. When they had paid for them, the boxes were shipped from Watertown to Ogdensburg, and there the Inland Revenue inspector of this government took the boxes in hand, smuggled them across the river, and sent them by express to their various addresses in the province of Ontario. These boxes landed at their destination in the county of Hastings and Frontenac, and were delivered as Liberal campaign literature. Just at this point when the ballot boxes had been received and placed in the hands of this deputy returning officer, the matter leaked out. He divulged the whole scheme and who were in it, and concluded that the best thing he could do in order to free himself from any further connection with it was to deliver up the remaining ballot boxes. Six of them had been delivered to him, and four others had been sent further north in the riding to another very estimable Liberal who occupies the position of police magistrate in North Hastings, Mr. Samuel Harryet, an officer of the local government. Mr. Lott, the deputy returning officer, concluded that the best thing for him to do would be to divest himself of the care of these boxes, and he accordingly delivered them up to messengers who were sent up there. They were conveyed by these messengers to Belleville and placed in the hands of the police.

Now when that discovery was made, I took every available means of advising the public generally, and particularly the Conservative candidates of the province of Ontario, of this conspiracy, and of this attempt to steal their ridings. A telegram was sent, signed by myself and two others, to every riding in the province of Ontario giving as good a description as we could by telegram, warning our friends against their use, and describing how the bogus box could be distinguished from the genuine box. I do not know how effective the efforts taken by myself and others were in preventing the use of these boxes in the province of Ontario. I know that our efforts were not wholly successful, because it has been proven in court and convictions have followed that

the boxes were in actual use. As an investigation has only been held in the two ridings, it is impossible for me to say how far our efforts were successful, or to say in how many ridings in Ontario these fraudulent boxes were used in order to return members of parliament to support this government.

The matter having been divulged in that way, it was at once taken up by the press and nearly every newspaper, I think, in Canada had something to say about the bogus ballot boxes, some going so far as to say that it was merely a Tory trick, and attributing the whole thing to myself. But others took a more serious view, and claimed that the perpetrators of this crime should not go unpunished. The Liberal papers all over the province of Ontario, when the matter first came out, insisted that these men must be punished, that justice must be done though the heavens fell, and they could not use too strong language to encourage the prosecution of the parties who had used these boxes. But at that time, although that publicity was given to it, although the names of the witnesses, the sources of information and the evidence were wholly given in the public press, not a single move was made on the part of this government to capture the criminal or to prosecute them. But, fortunately one of the newspapers—I say fortunately, because the criminals would not have been punished otherwise,—was bold enough to attribute the invention of the whole scheme of this bogus ballot box to myself and I very promptly took proceedings in the criminal courts for libel against the publisher. I may here say that I think the 'Globe' newspaper is entitled to a little more than passing attention from me in regard to its remarks at that stage of the case. The 'Globe' newspaper, after denouncing me, after crying out for the punishment of whomever might be guilty and after the investigation had been started by me for criminal libel and the evidence was coming out day after day, showing conclusively beyond any question that the whole scheme originated with the Liberal party, that it had been worked out by the Liberal party and that the Conservative party had nothing to do with it except to discover the crime, began to crawfish and take back its statements which it had been making previous to that time.

An hon. MEMBER. That is characteristic of the 'Globe.'

Mr. PORTER. Yes, it is characteristic of the 'Globe.' It very fequently says things one day and takes them back the next. But, after the evidence had gone so far as to show beyond question who the guilty parties were the 'Globe' changed its tone and began to offer apologies. It was just a few misguided Liberals who had gone into this, not the better element of the rank and file of the Liberal party, and all such excuses as this, no doubt with the hope of toning down the strong feeling of resentment that existed in the minds of the members of the Liberal Conservative party because of the insinuations that had been made against them. But, just at that time the 'Globe,' in a fit of virtue such as attacks the 'Globe' occasionally, thought that it ought to devote a little more attention to me, and surprising to say it devoted nearly half a column of its valuable space to advising me as to the way in which I should prosecute my personal action for criminal libel against the newspaper, and it went so far as to say that it would be an abuse of the process for me to select the quorum before which I should try my case. They said that I should not have taken a case like this before such a magistrate as Mr. A. F. Wood, a gentleman who had occupied a seat in the legislature of the province of Ontario for many years, the oldest magistrate in the county of Hastings and a gentleman whose character and reputation were beyond reproach. Justice would not be done, so declared the 'Globe,' and it said that I should have taken my case before the police magistrate. Let me say to the 'Globe,' which is probably aware of the fact, that the very tribunal, the police magistrate to whom it advised me to take my case in order to have this crime investigated, is to-day under a $20,000 bond to answer an indictment found by the grand jury of the county of Hastings against him for complicity in this very crime. If that had been done neither I nor the people would have been able to have had this crime investigated, and yet this is the advice that the 'Globe' gave and if it has not become aware of this, before now I hope it will take occasion now to apologize for its threats on that occasion.

Mr. SAM. HUGHES. Did the 'Globe' not suggest how Shibley could escape too?

Mr. PORTER. I believe it did. The scheme, as further divulged to me and as was shown in the further investigation of this matter, was that by the simple manipulation of the handle of this ballot box just as many Liberal votes could be given to the Liberal candidate as the deputy returning officer operating the box saw fit to give, and just as many Conservative votes could be switched or consigned to oblivion and would not be seen unless the ballot box itself were cut open for that purpose. It may be said and it has been said by people that this box could not be worked without the aid of a dishonest deputy returning officer, and that it could not be used without having the ballots such as those which are supplied by the government for the purpose of holding these elections. As to the first objection, let me answer it in this way: It cannot be used without the aid of a dishonest deputy returning officer and the sworn evidence shows that there were dishonest deputy returning officers in the Lib-

eral party who were willing to use it and who did operate it.

Mr. FITZPATRICK. Would the hon. gentleman (Mr. Porter) be good enough to name the returning officer or deputy returning officer who did use that ballot box?

Mr. PORTER. Yes, his name is Hawkey.

Mr. FITZPATRICK. Any one else?

Mr. PORTER. The evidence does not show any one else who is sworn to have used it. There are the other deputy returning officers whose names I have given. Lott says that the box was given to him, that he was instructed how to use it and that he entered into the conspiracy to use it. In regard to the supply of the ballots, the evidence shows that at polling subdivision No. 1, in the township of Clarendon, Frontenac county, when the deputy returning officers came to count the ballots he had 25 more ballots than he had been charged with, and it is a strange coincidence that the 25 extra ballots should be furnished at the very poll where this bogus ballot box was used. There is another little piece of evidence in connection with the supply of ballots, and I would like to call attention to it. If reference is had to the revised 'Hansard,' page 911, some very pertinent questions will be found to have been put by my hon. friend from East Grey (Mr. Sproule) and which were answered by the right hon. Prime Minister (Sir Wilfrid Laurier.) The questions asked by the hon. member for East Grey are these:

1. What is the custom of the Department of Public Printing and Stationery in issuing the blank ballots used in the Dominion elections? How many ballots are contained on each sheet of paper?

2. Is the paper on which the ballots are printed issued direct from the Printing Bureau to the several returning officers throughout Canada, or does it go through the Clerk of the Crown in Chancery?

3. Are the sheets of ballot paper carefully counted before being sent out, and is a record kept of the number of sheets sent to each returning officer? If so, under whose supervision was this done?

4. After the issue of the sheets of ballot paper to the several returning officers for the last Dominion elections, was any complaint made to the Department of Public Printing and Stationery, or to the Clerk of the Crown in Chancery, by any returning officer, or by his subordinates, or by any printing establishment, that the requisite number of sheets of paper for such constituency or constituencies had not been furnished, or that the actual number of sheets was less than that which the returning officer was credited with having received?

5. If so, in what constituency or constituencies did this occur, and what action was taken on such complaint?

Right Hon. Sir WILFRID LAURIER (Prime Minister):

1. The main principles are: (a) To deal with no one but the returning officers. (b) To have no broken packages. The ballots are issued in sheets of four and two according to the sample which I lay on the table.

2. The ballots are issued direct from the Printing Bureau to the returning officers throughout Canada without the intervention of the Clerk of the Crown in Chancery.

3. The sheets are carefully counted before being packed. They are sent out in closed packages of three sizes only, viz.: Packages of 2,000 in fours and of 1,000 and 500 in twos. The packages are not opened after being counted. The smaller packages are used for uneven or broken thousands. The counting is done in the bindery, after cutting, by skilled hands and under the supervision of the foreman of the bindery. The packages are then finally closed and posted up.

4. After the issue of the ballots, applications were received by the King's Printer from returning officers where the supply was insufficient. In all such cases the additional ballots required by the returning officers were sent to him, but always in whole packages. No ballots whatever were sent to any printing office, but they were sent out in sealed bags by registered post to the returning officers. No communications from others than returning officers were entertained.

5. Two complaints were made that the count of the ballot paper was wrong. One was from South Lanark, the other was from Ottawa. In the case of South Lanark no additional supply was asked for. It was a question of count. In the case of Ottawa an additional quantity of 1,000 ballots was delivered to the returning officer.

Then I find by a further reference at page 1342 of revised 'Hansard,' this question by the hon. member for East Grey:

Mr. SPROULE asked:

1. Adverting to the answer given by the First Minister on Monday, February 13th, regarding the method of issuing blank ballot papers to returning officers, what was the date of the complaint received from the returning officer in South Lanark?

2. What was the date of the complaint received from the returning officer in the city of Ottawa?

3. When were the additional thousand ballots sent to him?

Right Hon. Sir WILFRID LAURIER (Prime Minister):

1. The letter making the complaint in relation to South Lanark was dated October 29, 1904.

2. The complaint of shortage made at Ottawa was by telephone one or two days before October 31.

3. The request for additional ballots was made on October 31, and the additional 1,000 was sent on that date.

In that connection I want to refer to the evidence; I shall not read it, but I will be pleased to hand it to any one who desires to do so. Philip Lott swore in the investigation before the courts, that his brother Byron Lott had endeavoured to procure ballots for use in the election and to have them printed at the printing office of the Bancroft 'Times' at Bancroft, in his own county; that he had tried to have them printed elsewhere but that they could not print the ballots in such a way that detection would not be easy, and that on the 27th day of October he left his

home telling his brother he was going to Ottawa to procure the ballots here. It will be noticed that the answer of the right hon. the Prime Minister is that a request was made for ballots two or three days before the 31st of October, which would be along about the 28th of October. If you will take the trouble to turn to the register of the Russell House, Ottawa, you will find upon that register the name of 'B. O. Lott, Stirling,' registered on the very 28th day of October. There may be nothing in it, but it is a very singular coincidence that this man Lott who could not procure the ballots in his own county stated that he was coming to Ottawa for the purpose of procuring these ballots, and that on the very day he arrived here the request is made, and that 1,000 extra ballots are furnished to the returning officer here and Byron Lott goes on his way. That is practically the history of the bogus ballot box and of its attempted use in the county of Hastings and its actual use in poll No. 1, Clarendon—Miller in the county of Frontenac. I am happy to be able to state that the efforts made to steal these elections were entirely unsuccessful. It has been said—reiterating to a large extent what the 'Globe' said—that the persons who were engaged in this nefarious transaction were not of the better element of the Liberal party, that they were a few of the lower scum so to speak. Now, just for fear that that opinion should be still entertained by any one let me make a short reference to some of the individuals who according to their own sworn testimony were implicated in this affair, and then I will ask the country to judge whether they were of the better element of the Liberal party or not. Take the first one, Byron O. Lott himself ; three times Liberal candidate in the local legislature and finally the Liberal candidate for the Dominion government. W. J. Shibley, Liberal candidate in the interests of this government in the county of Frontenac. Joseph Hawkey, deputy returning officer poll No. 1, Clarendon—Miller, who was a part of the machinery supplied by this government to carry on the elections. Philip Lott another deputy returning officer at Springbrook poll in the county of Hastings, John Bremner, editor and proprietor of the Bancroft 'Times,' a liberal newspaper in North Hastings. Samuel Harryette, the police magistrate of North Hastings appointed by the Ontario government and also Liberal organizer for that portion of the province. R. E. Harpell, school teacher, general agent of one of the leading insurance companies of the province. Frank Reiley, professor Regiopolis College, Kingston. Edward Ruttan, the financial agent and confidential friend of W. J. Shibley, the Liberal candidate. Thomas Whalen, the collector of inland revenue at Prescott for this government. I might go through the long list ; there are some seventy different witnesses called in this case, and nearly every one who was able to testify as to any part in this conspiracy was an adherent of the Liberal party. But just here there is one other person that I do think I ought to mention. I mention that gentleman's name more particularly on account of the rumour that has been current for some time that there was a possibility, yea there was a probability that that gentleman might, with the late premier of Ontario, be taken into this government. I refer to the Hon. George P. Graham, of Brockville. At the time of this election and at the time of this conspiracy he was a minister of the Ontario legislature. I am bound to say in all fairness to this gentleman that when he was put in the witness box and sworn, he denied any knowledge or any connection with this matter. I am bound to give him the benefit of his denial. But there are one or two circumstances in connection with it that I think he should have taken occasion to explain and which he has never yet explained. They are these. He was a minister in the Liberal Ontario government ; he was as he swore the organizer for that portion of the province of Ontario in the federal elections on the 3rd of November last, where this conspiracy and this fraud was perpetrated.

Sir WILFRID LAURIER. Mr. Graham was not a minister at that time.

Mr. PORTER. I stand corrected ; it was later that he became a minister. He was a member of the Ontario legislature and he was the organizer for that portion of the province where that fraud was perpetrated. It is a strange thing that he should be occupying the position with the government that he did. It is strange that he should be filling that position, unless the explanation be that there was such a bargain or arrangement between the premier of the province of Ontario and the Prime Minister of Canada, and he was called in to help to perform the bargain. I cannot account for it in any other way. But there is one thing which I think he should explain, and that is this. The evidence discloses that on the last visit made to Watertown, when these boxes were paid for, and when the arrangements with regard to shipping and smuggling them across the river were completed, when Shibley and Riley were on their way home, instead of going directly across to Kingston in the usual way, they went down to Ogdensburg, crossed the river to Prescott, took the train going west, and dropped off at Brockville. Mr. Graham swore that they were strangers to him. They called on him, first the one and then the other, on Sunday night, got him out of bed, and held a conversation with him occupying between three-quarters of an hour and an hour, and he swore that the only material part of the conversation which he could repeat was that he advised them to carry on the election honestly and fairly. Now, it is a little singular that he did not swear that either of

these gentlemen suggested that they were going to carry it on in a dishonest manner or resort to the perpetration of such a crime as has been shown to have been committed; but, without any suggestion of that kind at all, this hon. gentleman volunteers to advise these men to carry on the election in the part of the country they were running, in an honest and straightforward way. I think these two circumstances at least call for some explanation from Mr. Graham, and I hope he will take the first opportunity that is offered to make an explanation. Now, I will take the liberty of showing the House, as far as I can from the description that was given in the court, how one of these fraudulent ballot boxes is operated. The instruction given to the deputy returning officer, after opening his poll, is to display the box, as I am doing, to show that there is nothing in it. Then he proceeds to lock his box. Now, it is locked, and he is ready for business. Now, I will hand three ballots to an hon. member (Mr. Blain) and I will ask him to hold them up as if he were going to vote. He marks the three ballots for Borden. They are put into the box. I hand three ballots to another hon. member (Mr. Schaffner). He marks them for Laurier and they are put into the box. The result of the poll should be three for Borden and three for Laurier. Now, I open the box, and take out six ballots, which I find marked: five for Laurier and one for Borden. Let me show how that is done. I have a ballot which I will mark for Mr. Borden.

Sir WILFRID LAURIER. Order, Mr. Speaker.

Mr. PORTER. The whole thing is operated by simply moving a handle so that the ballot goes into a secret compartment in the ballot box. The ballots which the hon. members marked and which were put into this box did not go into the ballot box at all, but into this secret compartment. The box was loaded with the other ballots before the hon. gentlemen started to vote, although it was displayed, and on inspection there appeared to be nothing in it. That is all I have to say in regard to that matter, except that I would like to know from the government what they propose to do in regard to this crime which has been committed—whether they will make any effort to prevent a repetition of this sort of thing, or will allow the law to remain as it is, so that similar ballot boxes may be fraudulently used. I think it is a matter for regret that we have not been able to reach those who were engaged in this crime.

One, Byron O. Lott, perhaps the principal factor in this enterprise has left his country no doubt for his country's good, and is now sojourning in California where the Canadian law will not reach. W. J. Shibley the other Liberal candidate is basking in the sunshine in Washington and is also out of reach. Hawkey, the returning officer, is in Chicago and cannot be reached, and I think the government is much to blame in this matter when the facts came out at so early a stage, in fact the day of the elections, for not taking prompt action to see that the perpetrators of this crime were punished. Through their dilatoriness these persons have been allowed to escape. Fortunately they have not all escaped and some are still under bail. I shall not mention their particular cases because that would not be fair as they have not yet been tried, but those to whom I have made reference have been tried with the exception of Mr. Harryett, and I think it is not improper for me to mention their cases here. I would like to know whether the government intends doing anything in this matter or not. Of course I recognize this fact that the government has laid down a principle which seems to control its actions in matters of this kind where dishonesty and fraud and crime are actually committed. That policy which has been followed by this government in some instances is one rather of reward for such things than condemnation. It has been a policy of approval rather than a policy of disapproval. I need scarcely mention the cases referred to here recently, the Thessalon postmaster, a clear case of theft, the case of Nixon in the Northwest, another clear case of theft, yet the man was appointed to another office with a greater salary. I need not refer to the case of Jackson, who was guilty probably of as great a crime as any one, and who was rewarded with the appointment of British agent of this government, nor need I mention others to which I could refer. I hope, in fact I believe, that after the disclosures that have been made the government will see that that sort of policy, that that principle is no longer recognized and that in contradistinction to that it will endeavour to encourage honesty in its officials, as well as in those holding positions of trust such as those I have referred to, as those appointed by the government as part of the machinery to carry on the elections in this country.

Mr. M. AVERY (Frontenac). I would like to say a word in regard to the question as I was mixed up in it by having the ballots stolen from me. I think that this government should take some action to punish these men. We have the record of Lott going to the people of this country repeatedly but the people refused to elect him. He comes back again to West Hastings and tries to get in there by means of the fraudulent boxes. The government should take some action and punish such men when they have the chance and the proof that they have

now. This man Lott took an active part in the first election I ran, a by-election in Addington. He was down there handling money and he admitted afterwards that he had bought many a vote; at one house he had bought five votes and two of these voters when they came to the poll could not mark their ballots, and Lott who was one of the scrutineers at Mountain Grove saw that they cast their votes for me. He was using money and was there as a part of the politcal organization for the Liberal party. This man wanted to run again and to represent the people of this Dominion and he would have been elected if he could have worked these boxes with success. Mr. Shibley is a friend to the government here. They gave him a position before he ran to buy cattle for the government to send west. This government paid him well and he went through my riding with government money paying big prices for cattle and then he became my opponent. This is the kind of men I have had to run up against and I think the government should take some action and keep these men who are so anxious to get jobs from becoming candidates. Mr. Shibley was going around before the elections saying, as all Liberal candidates say, that he was going to run a fair election, but he was travelling all over the country arranging the ballot box frauds, and working schemes two or three years ahead so as to get elected by buying cattle with government money. The returning officers appointed by this government are I consider part of the machine, because I went to the returning officer before my election and asked him not to send out Hawkey to No. 1 poll, Clarendon, but to send some honest man who lived in this country as deputy returning officers. I also stated that he had other men, Carl Taylor and Connolly, who were leaving their homes and going to the back country to act as deputies when they had quite competent men in the locality to carry on the elections. But no, Sir, my advice was of no avail. The returning officer, Mr. Franklin said that Mr. Shibley was the man who selected these officers and that he must abide by his decision and he would not recall Hawkey but sent him out to this poll. 125 ballot papers were given him by the returning officer but when he got back after the close of the poll he said he had only received 100 ballots, and the returning officer changed the number accordingly. I had a man sent down there to look over these ballots and he found there were 101 ballots in the box; evidently Hawkey had in his possession a book of 25 extra ballots. If we have to run up against such men as this during every election campaign and the government let these offences go by without punishment, I think that the sooner the people turn out this government or any other government that permits men to commit such frauds the better. We have had case after case and instead of punishing these men the government apparently think they must reward them with good positions as in the case of Jackson and several similar offenders. I think to-day that if these men had not got off and left the country they would have had government positions, both Shibley and Lott. I think it is time for this government when talking about purity and putting down corruption to take some action themselves and show the people of this country that they mean what they say. I hope this matter will be looked into. This man Carl Taylor who was so active in my election is to-day carrying the mails for the government by stage and the returning officer probably will get some position too. I think the government is in duty bound to take up these cases as they have been so well exposed and state if they are going to punish these fellows and not give them positions under the government at the country's expense.

Hon. CHARLES FITZPATRICK (Minister of Justice). I regret very much that the member for Hastings (Mr. Porter) did not think it at all necessary to extend to me the courtesies which are usual in cases of this sort, that is to give some notice that he intended to bring this before the House. That is the sort of courtesy I have invariably received from gentlemen on the other side. It does not seem to me that this is a question as to what the government is going to do, it is to a larger extent a question of what the government has done. The hon. member for West Hastings (Mr. Porter) says that the government is to blame for not having taken prompt action to punish those connected with this fraud. Let me point out what occurred, I have no doubt that the facts are fresh in the hon. gentleman's memory; but, in his desire to give an exhibition of his skill in the manipulation of this ballot-box, he forgot to state the facts Let me draw his attention to the fact that on the morning of election day, he was approached in connection with this matter by Mr. Williams, the returning officer, and he was then asked what the facts were in connection with the alleged fraudulent ballot-boxes. And I will read from a letter written by that officer dated November 7th, in which he gives the result of his efforts with the hon. member to induce him to assist us in taking action in this matter:

> On the morning of election day Mr. Porter handed to the chief of police of this city a ballot box with a movable partition worked by a wire handle on the top of the ballot box, so that by turning it one way the ballot deposited through the hole in the cover would go

into the main part of the box and by turning it the other way it would go into a small compartment between the hole in the cover and the end of the box nearest thereto.

I went and examined the box and saw that it was not any of the boxes issued by me, and shortly afterwards saw Mr. Porter on the street, who told me that five such boxes had been seized in the hands of a deputy returning officer whose name he declined to disclose to me.

That does not look as if the hon. gentleman was very anxious to proceed with the matter. The letter goes on :

I told him that I thought it was his duty then and there to declare from whom he had got the ballot box, so that proper proceedings might be taken if any sufficient evidence were forthcoming, and he informed me in reply that all things would be done in good time, but for the present he declined to give any information in regard to the place from which the ballot box had been seized or in whose possession it had been found.

And now he stands up in the House and denounces the government for not proceeding in the matter.

Mr. PORTER. If the minister will permit me. The statement as to the conversation between the returning officer and myself is quite correct. But half an hour or three-quarters of an hour later, after consultation with my friends and considering of the matter, I thought it would be best to give the facts, and I announced from the platform publicly the name of the gentleman who had given me the information.

Mr. FITZPATRICK. But the conversation as given here is correctly reported, as I understand ?

Mr. PORTER. Yes.

Mr. FITZPATRICK. We have another little bit of evidence that my hon. friend (Mr. Porter) will have occasion to explain. The hon. gentleman said that this occurred on the 4th of November. On the 7th of November, without any suggestion from the hon. member or any attempt on his part to draw the attention of the Department of Justice to it or to begin proceedings in prosecution of the people connected with this infamous fraud, the Department of Justice sent an officer of the Dominion police, Inspector Chamberlain, to Belleville. That officer attempted to find the hon. member (Mr. Porter), but he was absent. Not content with sending the inspector, I sent the Commissioner of the Dominion Police himself, who went to Belleville on the 10th of November. I also thought it necessary to instruct Mr. Shepley, K.C., of Toronto, to prosecute everybody engaged in the fraud. Both these gentlemen went to Belleville on the 11th, and there met the hon. member for West Hastings ; and here is a report from Colonel Sherwood, Commissioner of Police :

That evening, the 11th, I went to Belleville, and the following day met Mr. Shepley and with him saw Messrs. Porter and Corby, and from them heard some of the particulars. But Mr. Porter said there was more in possession of the solicitors who were looking after the matter for him, Messrs. Blackstock and DuVernet.

Again declining to give the information he had. So here again we do not appear to have had very much assistance from the hon. member for West Hastings.

Mr. R. L. BORDEN. He referred them to his solicitors.

Mr. FITZPATRICK. Yes ; but in a criminal matter of this kind, where speed may be a matter of the utmost importance, it is not usual for one to rest satisfied by referring the officers of the law to his solicitors in a distant city. These parties were in or near Belleville, and it was in Belleville that these proceedings must be initiated ; and they ought to have been proceeded with at once. I am dealing with the cnarge that the government were to blame for delay in this matter.

Mr. PORTER. Perhaps the minister will permit me to say a word in answer to that. He, perhaps, has overlooked the fact that my action for criminal libel was then pending, and it was in the hands of my solicitors. I think I took a perfectly proper way of dealing with the matter.

Mr. FITZPATRICK. But the important matter here was not the hon. gentleman's case of criminal libel ; the important matter was to find the guilty parties and put them in jail. The matter of criminal libel was only secondary. I must confess that I have always been at a loss to understand why he was so taken up with his criminal libel case and so little interested in finding the persons guilty of this fraud.

Let me show just what the government did in connection with this matter. I have already told of the instructions given to the Inspector of the Dominion Police, the Commissioner of Police, Colonel Sherwood, and Mr. Shepley, to prosecute this matter vigorously. The result was that warrants were issued for Lott, Shibley, Reilly, Thomas Woodland. Lott was the defeated candidate in West Hastings, Shibley the defeated candidate in Frontenac, Reilly, a school teacher and Woodland an excise officer of the Inland Revenue Department in Wiser's distillery. Lott was arrested on Monday morning and gave bail. Ruttan, one of Shibley's workers—he was the one who received the ballot box at Kingston—was also arrested. So was Hawkey, the deptuy returning officer at Clarendon and Miller. All these men, with the exception of Shibley, Lott and Hawkey, were proceeded against. So that every man connected with the transaction, so far as we know, has been arrested and committed for trial. These others escaped the country, notwithstanding that they were under bail—all but Shibley.

Mr. PORTER. Shibley was not arrested.

Mr. FITZPATRICK. No ; he evaded arrest, and escaped from the country.

Mr. PORTER. And Hawkey also.

Mr. FITZPATRICK. Let me see. Lott was arrested and he gave bail. Shibley escaped, and I see that Hawkey also escaped. All the others were arrested. So in what respect did the government fail to do its duty ?

Mr. PORTER. That is the very point—Lott, Shibley and Hawkey, the deputy returning officer, the principals in the transaction, were allowed to escape. Several days elapsed and they were not arrested. Why not ?

Mr. FITZPATRICK. Why did not the hon. gentleman assist the government on the morning of November 4th by giving the information when he was asked for it ? Why did he not give it on November 11th when he was asked for it ? Why did he not assist the government, instead of merely trying to make a case which he could discuss here in parliament? Now, as I have shown, every man connected with these frauds was either arrested or a warrant was issued for him and he was obliged to leave the country. And, so far as Lott is concerned, he was not allowed to escape, he jumped his bail. He went before the magistrate, who obliged him to give bail of $2,000 ; and he forfeited that bail and left the country. Is the government responsible for that ? In what way can the government be held responsible ?

Mr. R. L. BORDEN. When did Shibley and Hawkey leave the country ?

Mr. FITZPATRICK. I cannot say ; he could not be found when the officers went to arrest him. The warrant for Shibley was issued, and immediately Inspector Chamberlain proceeded to Frontenac county for the purpose of finding him. But he could not be located—the warrant was not executed. But the hon. gentleman (Mr. Porter) says that the ballot boxes were used. I will refer, as the hon. gentleman does, to a closed book beside me and say : 'The evidence will be found here' ; but I think I can show by the statement of Colonel Sherwood that, in his opinion, not a single one of these ballot boxes was used in this election. I shall read now from his report, and I will put Colonel Sherwood's word against the statement made by the hon. gentleman :

> Of the twenty false ballot boxes brought into the country, fifteen have been recovered, and none of them were put in use, one is supposed still to be in Lake Loughborough, from which nine were recovered, and search is being made for the four which were sent to Bremner and alleged by him to have been delivered to Harryett.
>
> My own opinion is that none of the boxes were used, notwithstanding the positive assertion by two scrutineers at Ardoch that one was used by the deputy returning officer there, they saying it was quite different to the others issued by the returning officer, but inquiry goes to show that several different patterns were given out.

That man Hawkey, it appears, was a resident of the city of Chicago. Now the only complaint I would have to make in connection with this election is that this man Hawkey was employed as a deputy returning officer. It is unpardonable that this man, who was a stranger to this country, should have been employed in the performance of such an important duty. But with that single exception, there is not a word to be said against the conduct of the election, there is not a word brought out in the trial which goes to show that either the returning officer or any one of his deputies, with that single exception, was in any way connected with these ballot boxes. I further state that there is nothing in the evidence which goes to show that a single one of these ballot boxes were used. The information I have from the inspector is that every one of these ballot boxes had been accounted for, with one exception.

Mr. PORTER. The evidence shows that there were twelve of these boxes shipped into the county of Hastings.

Mr. FITZPATRICK. If the hon. member for Hastings (Mr. Porter) will read the evidence, we will be better able to appreciate it.

Mr. PORTER. The minister states that there was no evidence that the bogus ballot box was used. Here is the evidence of Mr. Thomas Tapping :

> Q. Where did you get that ballot box from ?—A. The court house, Kingston.
>
> Q. What division is that ?—A. Clarendon and Miller, No. 2.
>
> Q. Your division ?—A. Yes.
>
> Q. From whom ?—A. Mr. Grant, caretaker of the court house.
>
> Q. Was that ballot box used in your poll ?—A. It was not.
>
> Q. You have examined one of these trick boxes ?—A. Yes.
>
> Q. What do you say ?—A. I can't say it was the same box, but it was similar in every respect.

The box that was used was similar to the bogus ballot box in every respect, and that is corroborated by another witness.

Mr. E. B. OSLER (West Toronto). The accusation made against my hon. friend from Hastings (Mr. Porter) that he was indifferent to the prosecution of those engaged in this outrageous attempt to defraud, I am in a position to deny. I know that Mr. Porter was exceedingly anxious, and immediately on learning that the fraud was being perpetrated, he came to Toronto and consulted some of his friends. We found that the government were taking no action at the time. The suggestion was made that Mr. Duverney should be em-

ployed to conduct this case, and I was present at a meeting at which Mr. Duverney was engaged to see at once that these men were arrested and every one connected with the fraud punished. Mr. Duverney gave his opinion that the only way in which to proceed was by the way of a criminal action. Against the wishes of those who were rather incredulous of the result and afraid to take the risk, that course of Mr. Duverney was pursued. It was necessary to raise private funds for that purpose, and it was with private funds that most of the evidence in connection with this matter was procured. I say that in my judgment, had it not been for the private prosecution of these men, they would probably have been allowed to escape. But the proceedings came to a point where they were put into Mr. Shepley's hands on behalf of the government. I desire to say this to exonerate my hon. friend from Hastings (Mr. Porter) from the charge that he deliberately delayed proceedings.

Mr. FITZPATRICK. As to the statement that on private funds alone the prosecution was entered, I may say that I paid accounts myself and I paid the witnesses.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. R. L. BORDEN. Mr. Speaker, I desire to say only a very few words in regard to the matter that is occupying the attention of the House. I think my hon. friend from West Hastings (Mr. Porter) has presented the case to the House in a very moderate and judicial manner. My hon. friend the Minister of Justice criticised the hon. member for West Hastings for not giving notice. I made some inquiry in regard to this and I find that it is due to a misunderstanding between my hon. friend from West Hastings and myself. He spoke to me on the subject and he understood me to answer that in a matter of this kind it was not necessary to give any notice. It is certainly not necessary under the rules of the House, but it is always desirable, and upon this misunderstanding between my hon. friend from West Hastings and myself must be placed the neglect to give notice in this instance. The Minister of Justice criticised the hon. member for West Hastings for not giving certain information when he was asked to give it on the 3rd of November and he treated in a very casual way the circumstances that at that time there was a proceeding in a case of criminal libel outstanding. Of course, that is one way to look at it, but in a proceeding of that kind great care must be taken and it seems to me that the hon. member for West Hastings took a very proper and fair course in giving the information which he did on a subsequent occasion and in afterwards referring counsel employed by this government to his own solicitors, upon whose advice he was acting in that case. However, these are mere details. The real question is, after all, that to which the hon. Minister of Justice addressed himself, and that is, whether or not the government in this case exercised a reasonable amount of diligence in dealing with what undoubtedly was a very grave conspiracy on the part of certain men to deprive the people of certain constituencies of this country of the right to return their representative to parliament. Now, it will not be denied that this matter was made public on the 2nd or 3rd of November. In some of the newspapers of the country there were references to it on the 2nd of November and the Toronto 'Globe' referred to it on the 3rd of November. Notwithstanding that it appears, as I understand the statement of my hon. friend from West Hastings, that no detective, no officer of the government, appeared on the scene or took any action until about the 18th of November.

Mr. FITZPATRICK. No, on the 7th of November.

Mr. R. W. BORDEN. Well, I may be mistaken in that regard. I understand from my hon. friend (Mr. Porter) that no officer appeared in the riding until the 18th of November.

Mr. FITZPATRICK. On the 7th of November there was an officer looking for Mr. Porter in the riding—Inspector Chamberlain.

Mr. R. L. BORDEN. Very good. At what time did any officer of the government first communicate with Mr. Porter?

Mr. FITZPATRICK. On the 7th of November an officer left here for the purpose of being in Belleville. He arrived the same night and on the 8th he called on Mr. Porter in Belleville, but found him absent, and on the 9th of November Mr. Shepley appeared on the scene with his commission. On the 7th of November the officer was in Belleville and Mr. Porter was found to be in Toronto.

Mr. R. L. BORDEN. The unfortunate part of it is that two of the men mainly implicated have been allowed to escape and it does not appear that any warrants had been issued for their arrest until—I do not have the exact date.

Mr. FITZPATRICK. About the 11th or 12th of November. I have not my papers here at the moment but I think it was about then.

Mr. R. L. BORDEN. Of course, the dates are of some importance.

Mr. FITZPATRICK. I have sent for my papers.

Mr. R. L. BORDEN. I understood from the hon. member for West Hastings, in asking some questions during the progress of

the debate, that no warrants were issued for these men until about the 16th or 18th. However, the Minister of Justice can give us the exact dates. The important point after all was that two of the men were allowed to escape, and another important point is the fact that the bail in this case was fixed at $2,000 while, as I am informed by my hon. friend the hon. member for West Hastings, bail in the case of the police magistrate Haryett was fixed at $20,000. One would have thought that Lott was the man who should have been bailed in a sum of something like $20,000 and that the bail of the police magistrate might possibly have been fixed at a somewhat smaller sum. It is of course very easy to criticise. There may be some reason which is not apparent to me which would explain this, but at all events it is obvious that the bail fixed in the case of Lott was perfectly inadequate and as a result he was enabled to leave the country and to escape prosecution or punishment in company with two other men who were not arrested at all. It does not seem to me that the result can be regarded as at all satisfactory. In so far as the details of the dates are concerned I have no personal knowledge. All I am dealing with at this moment is the result. There are two or three circumstances in connection with this matter that seem to call for some comment and one of these is the circumstance that ballots were delivered from the printing office in the city of Ottawa upon a mere telephone message. It must be remembered that no scheme of this kind can be worked successfully so as to defeat the will of the people unless a supply of apparently genuine ballots is at hand, and unless deputy returning officers are appointed who will be unscrupulous enough to lend themselves to such a conspiracy. It appears that upon the same day, as far as we can judge, on which Lott made a visit to Ottawa, after unsuccessfully attempting to procure these ballots in another way, 1,000 ballots were delivered upon a mere telephone message to some person or persons unknown who were presumably acting on behalf of the returning officer or his assistants in the city of Ottawa. I do not know how that may be. I would suppose that ballot papers demanded in excess of those originally supplied would be given out only upon a written requisition signed by a responsible person—that would be by the returning officer—and that an exact record of their delivery, the person to whom they were delivered and the reasons why they were delivered would be kept in every case. We do not seem to have that certificate and it seems a remarkable loose way of transacting business and one which lends itself to the perpetration of frauds of this kind, and to the successful carrying out of a conspiracy such as this. As to the extent to which this conspiracy was successfully carried out, let it be remembered that it is only a matter of conjecture. It is very probable that only a portion of this fraud has made itself apparent and that much more remains below the surface. There is one matter to which the Minister of Justice alluded in terms of somewhat severe comment, but he did not go far enough. It appears that a man named Hawkey, against whom a warrant was issued after he left the country, did not even reside in the riding for which he was appointed deputy returning officer. The returning officers have been declared by very eminent authority to be officers of this House and to be punishable as such. They should be respectable men and men above suspicion. I would not think it wise or right that a strong partisan should be appointed, or that the appointee should be a man who would lend himself to either one political party or the other in connection with any proceeding in an election. It appears that the returning officer for Frontenac saw fit to appoint his deputy returning officers upon the nomination of the Liberal organization of that riding. I submit to the Minister of Justice, I submit to the members of the government, I submit to gentlemen on that side of the House, that this was a most extraordinary and outrageous procedure for that returning officer to follow. He should have appointed the deputy returning officers, not because they are nominated by one political organization or the other, but because they are fair and honest and competent. That is the only reason which ought to actuate him in making such an appointment. Not only did this Mr. Forsythe, the returning officer for Frontenac appoint his deputy returning officers upon the nomination of the Liberal committee, but he insisted upon appointing one who was a non-resident in the riding and who was brought from the city of Chicago no doubt for the very purpose which was to be subserved by these bogus ballot boxes. The Minister of Justice has spoken of that as an outrage. It is not only an outrage so far as the appointment of Hawkey is concerned, but it seems to me that the Minister of Justice might have said that it is an outrage to appoint as returning officer any man who has no higher conception of his duties than Forsythe seems to have had. This man, Hawkey was brought from Chicago, brought for a criminal purpose beyond doubt, and brought for a purpose connected with these very bogus ballot boxes which were certainly used in one polling district at least. And when the Conservative candidate for the riding objected to the appointment of Hawkey because he came from outside the riding, the answer which he got from this man who should be an impartial servant of parliament was : that Hawkey must be appointed because forsooth he was the nominee of the Liberal committee. It does not seem to me that partisanship, that unfairness and

what I might call connivance, could go further. I venture to think that the government of this country in appointing such a man as returning officer make themselves—without design it may be—a party to this conspiracy. Let them appoint Liberals if you like, but let them appoint men who are above suspicion. There are many Liberals in every riding in this country who are above suspicion, and who would be trusted by their Conservative opponents just as they would trust any Conservative in the land. Appoint such men and we have no criticism, but appoint a man like this Frontenac returning officer who has no higher conception of his duties than that he is to make himself the tool of the Liberal committee in the riding, and you lend yourselves—I do not care whether you are Liberals or Conservatives—you make yourself parties to just such a conspiracy as was partly carried out in these two ridings. Let every hon. gentleman upon the treasury benches bear in mind, that when the government of Canada consents to the appointment of violent partisans who are willing to put aside for political purposes those principles which undoubtedly they would adhere to in private dealings—unfortunately we know there are such—the government is lending itself to some extent to the perpetration of exactly the frauds which have been described by my hon. friend (Mr. Porter). I regret very much that the action of the government, however well intended it may have been, has resulted in the escape of the three men who above all others should have been placed upon trial. I refer to Lott the candidate, Shibley, another candidate, and Hawkey, the deputy returning officer brought from Chicago for a very obvious purpose. The Minister of Justice has given the dates in order to show the diligence which he believes the government exercised in the matter. After all the best comment upon it is the fact that notwithstanding all this supposed diligence the three criminals most deeply concerned in this outrage on the liberties and rights of a free people have been permitted to escape from Canada and are now enjoying themselves in the United States.

Mr. FITZPATRICK. I have had an opportunity of looking at the report prepared by the Commissioner of Police, and I wish to be exact about the dates. On the 4th of November the interview took place between Mr. Porter and the returning officer; on the 7th of November the returning officer wrote* the letter which I quoted, to the Hon. Mr. Scott; on the same day inspector Chamberlain left for Belleville, arriving on the 8th; on the 11th of November Mr. Shepley and Mr. Sherwood went to Belleville for the purpose of taking proceedings and the warrants were not issued until the 19th of November. I was wrong and my hon. friend was right as to that. The reason assigned by Mr. Shepley was that he awaited the result of the criminal libel proceedings so that he might get the information necessary to enable him to issue a warrant.

Mr. PORTER. I want to make a reference to one or two statements made by the Minister of Justice in answer to my hon. friend from West Toronto (Mr. Osler). The hon. gentleman (Mr. Osler) stated that the expenses of this investigation in which all the information was brought out and upon which the police force employed by the government acted, were paid for by private individuals and not by the government as should have been the case. The answer given by the Minister of Justice was that the government had paid all the counsel and the witnesses. In regard to that statement I desire to take issue most emphatically with the minister. A large number of the witnesses in that investigation were paid for by myself, and Mr. Duvernet the counsel who was employed in that case was paid by private individuals and not by the Crown.

Mr. FITZPATRICK. At whose instigation were the warrants signed?

Mr. PORTER. At my instigation.

Mr. FITZPATRICK. Was the hon. gentleman the complainant?

Mr. PORTER. I speak of the criminal libel case, the only one in which I was interested.

Mr. FITZPATRICK. I was speaking of the warrants in connection with the matters complained of.

Mr. PORTER. What I wish to point out is, that in regard to these warrants there was no investigation; the parties were simply brought before the court and bail taken. There were no witnesses, and there was no counsel except Mr. Shepley, who is employed generally on behalf of the government. The witnesses in the first investigation, where the facts were brought out, were paid for by myself, and counsel was paid by private individuals.

Mr. FITZPATRICK. With the libel suit we had not anything to do, and I never contended that we had.

Mr. PORTER. When the trial took place before the high court of justice at Belleville, the witness and the counsel engaged at the trial were not paid for by this government, but were paid for by the Ontario government under the leadership of Mr. Whitney; so that that statement of the minister is not borne out by the facts. I desire to refer to just one other matter which has been mentioned by the Minister of Justice. If I understood his statement correctly, he said that all the ballot boxes that had been imported for these fraudulent purposes had been accounted for except one, and, pointing to the one which

* Mr. R. L. BORDEN.

I have here, he said that one was now accounted for. I did not hear the statement, but I am told that is what he said. I wish to say that the ballot box which I exhibited here to-day was one of the six given up by the returning officer and produced in the trial of this case. It is not the lost ballot box at all.

Mr. E. COCHRANE (East Northumberland, Ont.). I think the hon. member for West Hastings (Mr. Porter) is entitled to more credit in this matter than the Minister of Justice is disposed to give him. East Northumberland adjoins West Hastings, and I am satisfied that if I had not got information on this subject from the hon. member for West Hastings, the election in East Northumberland would have been stolen from us. I got a telephone message on the subject and met at Trenton, and I had to send hired men all over the riding to prevent this iniquitous scheme being perpetrated there. I am satisfied that the two missing ballot boxes are in East Northumberland to-day, perhaps buried in some lake or pond in that riding. Mr. Lott must have been in pretty close touch with the government of the day. If he was not, why did he telegraph to Mr. Graham, the organizer for eastern Ontario, when Mr. Mulholland and Mr. Farley, two prominent Reformers in East Northumberland, came to Ottawa to interview the government—I suppose to get a certain amount of money with which they thought to defeat me. They decided at the convention that they wanted $10,000—$2,000 to pay off old scores, and $8,000 to defeat me; and Mr. Lott telegraphed to Mr. Graham that he must pay attention to these two gentlemen when they arrived in Ottawa. If the government was not in touch with Mr. Lott, why did he telegraph that to Mr. Graham? I am satisfied that one of these ballot boxes was used in East Northumberland. If it was not, there was a good deal of that $8,000 spent in one polling subdivision, and I am satisfied they intended to use it in another polling subdivision called Wooler, but we gave the scrutineers notice, and those men, I suppose, kept the money in their pockets until then instead of spending it intending to use the box. They then made things hot with the money. This matter deserves serious attention, and something should be done to prevent such iniquities being prepetrated on the free and independent electors of Ontario.

Mr. SAMUEL BARKER (East Hamilton). I happen to know something of the facts connected with the initiation of these proceedings, and I do not hesitate to say, from my knowledge, that if it had not been for the expenditures undertaken by private individuals—and I say this, although I have not incurred a cent—there would have been no prosecution whatever. The whole inquiry from the first was the result of money expended by the hon. member for West Hastings and friends of his, and but for that, there never would have been a step taken—and I say it to the shame of the government—for the prosecution of this case. The government, when they did proceed, took advantage of everything that had been done at the expense of private individuals, and used it to make an appearance of prosecution of the chief criminals, for it was little else. What did the government do? The hon. member for West Hastings has been taunted here to-day with having proceeded before a particular tribunal and with not having proceeded before another tribunal. The government proceeded before that other tribunal, and what was the result? Bail for the principal criminal in the trumpery sum of $2,000, and he has escaped to the United States. I have no doubt that the gentleman who advised the hon. member for West Hastings knew what was likely to happen in that regard, and acted wisely and prudently; and if the government wants to do its duty, it will now reimburse those who put their hands in their pockets, and did their duty to this country in instituting proceedings against the men who were guilty of this conspiracy.

Motion agreed to, and House went into Committee of Supply.

Immigration—further amount required for salaries of agents and employees in Canada, Great Britain and foreign countries, $30,000.

Mr. FOSTER. What amount does that make in toto?

Mr. OLIVER. It makes $178,200. This is to provide for appointments and for increases of salaries since the main estimates were prepared, and to pay the salaries of employees whose salaries it was intended to charge to miscellaneous and contingent expenses.

Mr. FOSTER. Does this include any new appointments in the way of agents and employees?

Mr. OLIVER. Yes, the new employees are:

Dr. H. L. Dickey, superintendent detention hospital at Halifax	$ 1,200 00
J. H. Stanford, Quebec	900 00
Mrs. S. M. Geddes, clerk, Ottawa	512 50
A. C. Ecclestone, clerk, Ottawa	800 00
D. W. Johnson, clerk, Ottawa	800 00
Dr. O. L. Milne, detention hospital, Victoria	2,500 00
Jas. Patterson, clerk, Victoria	900 00
Dr. J. A. L. McAlpine, medical officer, Vancouver	1,000 00
Dr. Munro, medical officer, Vancouver	1,000 00
Jas. Elliott, clerk, Vancouver	900 00
G. A. Sandberg, clerk, St. Paul	720 00
O. Tessier, agent, Michigan	1,200 00
F. T. Lange, agent, St. Paul	1,200 00
P. Foursin, agent, France	1,200 00
Thos. Cory, inspector, Gladstone	1,200 00
Total	16,850 50

Mr. FOSTER. I do not understand what all this business is at Vancouver. It seems to me you are putting in a superintendent at $2,500 and a staff amounting in all to, I think, four men.

Mr. OLIVER. There are two medical officers and one clerk.

Mr. FOSTER. Two medical officers and one clerk for a detention hospital in Vancouver. Is that a new institution there ?

Mr. OLIVER. Yes, that is a new institution caused by the legislation of last session and the demand for more care in the admission of immigrants. This provides for the hospital and the inspection of vessels arriving.

Mr. FOSTER. Is this a new building or is it rented, or what ?

Mr. OLIVER. At present we have no hospital building, we are using the Canadian Pacific Railway building.

Mr. FOSTER. Where do these immigrants come from?

Mr. OLIVER. Of course all vessels landing there, whether they come from American ports or from China or Japan or Australia are medically examined there and detained if the conditions require it.

Mr. FOSTER. I did not understand that the minister has anything to do with anything else than immigration. This is a vote for immigration and it is not intended out of this vote to pay for anything but what is absolutely necessary for immigration purposes. Where do your immigrants come from and how many of them come in from Pacific ports and land at Vancouver ?

Mr. OLIVER. This inspection has only recently been established during the last few months, and there are no figures available at present?

Mr. FOSTER. Before we can grant a large amount for this, we want to know who is coming. Are they Chinese? No, they are excluded by a prohibitory tax. Are they Japanese? No, there is no Japanese immigration to our country. Are they from the Philippine Islands or where are they from? The minister must have some groundwork before he asks for the establishment of a detention hospital with this expensive staff.

Mr. OLIVER. As I said this arrangement has only recently been instituted on account of the legislation and the general feeling of last session that it was necessary to take more care to guard against the introduction of immigrants who might convey disease, and therefore the establishment was made. We are not able to give any satisfactory returns as yet of the number coming in but there are people who come from the Pacific ports of the United States to Vancouver, some from Australia and some also from Japan. Of course immigration from China is discontinued under the prohibitory tax, but there is no such tax on Japanese and there is a considerable employment of Japanese, I venture to say.

Mr. FOSTER. What were the figures of immigration last year? No minister can make an establishment unless he founds it on something that has been and then make it sizeable with what is likely to be. What is the 'has been' on which the minister is putting up an expensive establishment at Vancouver?

Mr. OLIVER. This establishment was organized some three months ago. Before that time, no record was kept, there was no attempt at any record in regard to the entry of immigrants at the port of Vancouver. The establishment was placed there not because of the volume of immigration but because it is the port through which immigrants may enter or do enter from the Pacific, and it is placed there in response to the generally expressed feeling as I understand it at the last session of parliament that greater care should be taken than had previously been taken as to the introduction of diseased immigrants into the country.

Mr. FOSTER. I cannot understand that and I do not think the minister has made any case at all. Do you mean to say that the Immigration Department does not keep a record of immigrants who come in? You give us statements every year and our statistics are based upon your statements. How many immigrants came in at Vancouver last year and from what ports ? The United States immigration does not come in to any extent by these ports, it comes in from the interior of the country, I suppose 99 per cent of it. It is not amongst the United States immigrants that we look for diseased persons. Those are clean-limbed and healthy like our own people. Where you will get disease is among those from those far-off regions which you seem to be scouring in the centre of Europe, among the Molokans and Syrians and Arabians, and Mesopotamians. They will have all sorts of diseases, but they come in on the other coast. It was a surprise to me. I had an idea there were no immigrants coming in from the Pacific. How many Japanese have come in as immigrants. What are the figures for last year? What are your records for the Pacific coast?

Mr. OLIVER. I said a moment ago that up to three months ago we had not kept records of entries at the Pacific coast.

Mr. FOSTER. Very well, if the minister will give us the records for the last three months. That is an admission surely. We have been paying three-quarters of a million

of dollars to maintain a department and it has not kept a record of an immigrant that has come in from the western coast.

Mr. OLIVER. I am not able to give at the moment, the record for three months. But, as I have said, provision is made for the reception and treatment of immigrants at the port of Vancouver, not so much because of the volume of immigration, but because that is a point to which immigration comes from all the countries bordering on the Pacific ocean.

Mr. FOSTER. Who comes ? How many of them ?

Mr. OLIVER. We have the returns of the officer we have recently sent, and I cannot give the figures at the moment. What has been done is in response, as I understand it, to a strongly expressed wish of the House that the ports of Canada should be effectually guarded against any introduction of disease by immigrants, and not with a view to the total number of immigrants.

Mr. FOSTER. What is the total amount of salary it is proposed to pay ?

Mr. OLIVER. For the port, $6,300.

Mr. FOSTER. Would it not be well for us to take a sensible view of these matters for a moment. The minister proposes to provide a six thousand dollar establishment in Vancouver and Victoria for medical examination of immigrants, and he has not in his department a record showing that a single immigrant comes into these ports. Would it not be a sensible way to have a customs officer, or some other officer enumerate the immigrants who come in ? This officer could be called upon for further information if any immigrants did come. In that way you could find out whether such immigrants were coming as to make a medical inspection necessary or not. But that way does not suit the minister, nor is it in accordance with the traditions of the department. According to these traditions, we are to rush into an expenditure of $6,300 before it can be shown that there is any need for the expenditure of a dollar.

Mr. OSLER. Is the medical inspection made on the vessels that come in ?

Mr. OLIVER. It is made at the wharf.

Mr. OSLER. There is a health officer there already.

Mr. OLIVER. There is a quarantine establishment, but that is not under control of this department. This department deals with diseases that are not quarantinable diseases.

Mr. OSLER. In all my recollection of debates in connection with keeping out undesirable immigrants, I do not think that Victoria or the Pacific coast ports were mentioned once. There is no immigration coming into Vancouver, or into Victoria—there are no lines of immigrant vessels. This government pays a health officer there; and, if the minister would refer to the other department, whichever it is, that pays that officer, he could find out how many diseased persons were stopped at that port, and that would be valuable information in connection with this item. But it seems utterly absurd to appoint two doctors, a superintendent and two clerks to stop a possible immigration at points as to which the government cannot show that one single immigrant comes in. And, if there is anything in this line to be done, I will be bound that the health officer has ample time to do it.

Mr. INGRAM. The First Minister (Sir Wilfrid Laurier) told us the other day that three Chinamen came into Vancouver, and we passed certain votes to assist in looking after this immigration. So, this must be in addition to any other expenditure in connection with Vancouver and Victoria.

Mr. FOSTER. That had slipped my mind. I remember that we had a conversation about an expensive staff appointed in connection with a possible Chinese immigration. So, you have a quarantine establishment with an up-to-date outfit and an expensive staff; you have the staff in connection with Chinese immigration and expensive officers connected with it; and here is another expensive establishment at points at which, so far as the minister can tell us, there is not a single immigrant coming in. But this is just a sample case of what we meet in these estimates. And I will have to do in this case what I will have to do in others. I move to strike out $6,300 of this vote inasmuch as the minister has not shown any need for this expenditure at Vancouver and Victoria.

Mr. MACPHERSON. I may be able to throw a little light upon the necessity of having these health officers in Vancouver and Victoria. The hon. member for West Toronto (Mr. Osler) said that there was no immigration going into British Columbia.

Mr. FOSTER. No, I never said that.

Mr. MACPHERSON. But I understood the hon. member for West Toronto (Mr. Osler) to say that.

Mr. OSLER. I said there was no immigration—no volume of immigration. I said there were no steamship lines. Of course, immigrants may come in occasionally in the ordinary ships. But, as a matter of fact, Vancouver is not an immigrant port.

Mr. MACPHERSON. We have a great many people coming into Vancouver and Victoria who come from the Asiatic side of the Pacific, from Australia, from the north and from the south. Further, we were made a dumping ground by American steamboats companies who left upon our shores many people whom the United States would

not keep and who were undesirable immigrants, as many of them were diseased. The examination of these people was a matter for health officers. I think it is for this reason that these health officers have been put on. And they have stopped scores and scores of people from landing in Canada who otherwise would have remained here and become a charge upon the people of British Columbia. People come from Japan who are troubled with trachoma, also from China, and people perhaps who would not be kept out by the $500 tax. They come from Australia also. Now, we in British Columbia must receive protection against these diseased immigrants, and I say that if an officer of the department succeeds in keeping one such man out of the country, his services are worth all the money that we pay him. I am not defending an excessive expenditure, but I do say that for the past six months the people of the Pacific coast have been protected better than ever from an influx of the offscouring of humanity.

Mr. OSLER. The statement just made by the hon. member for Vancouver (Mr. Macpherson) shows that there is somewhere a record of the work done by these officers, men who were appointed before an estimate for their salary was brought down in this last week of the session. It appears from the statement just made by the hon. member from Vancouver that these men have been drawing pay for the past six months. Now, if they have been appointed illegally by this government, surely the House is entitled to more than a vague statement to the effect that they have been instrumental in keeping people out diseased with trachoma. Surely there ought to be some record of the work these men have done, surely the government must have a statement on which to base the appointment of these men six months ago. As to the statement that diseased immigrants are coming in, I must say that I have been in pretty close touch with what is going on in the shipping world at Vancouver, and I have never yet heard of one case of trachoma coming in on the Pacific coast.

Mr. FOSTER. When were these men appointed ?

Mr. OLIVER. Their salary began on the 1st of May this year.

Mr. FOSTER. When the House was in session. Well, that is another example of a certain way of doing things—appoint your men first, set up an establishment costing $6 300, and then, when you get it nicely going, come and ask parliament for money to pay for it. The minister has not given us a figure, he has no information in his pocket or in his head, he cannot tell the port from which one immigrant comes, or how many came in. We know very well that the stream of immigration does not come in from that side. Ships are coming in to every port of the Dominion, and is the minister going to keep an officer in every port because perhaps some man will come in with a cross eye, or may have some trace of disease about him ?

Mr. OLIVER. Vancouver is an important port.

Mr. FOSTER. The hon. member for Vancouver (Mr. Macpherson) has told you that if you keep out one diseased man you have the worth of all your money. But now the whole thing is out. It is a mere matter of patronage, in order to appoint men and pay them salaries, without any warrant from this parliament at all, no stream of immigration that warrants it, where you have health officers, provincial and otherwise, where you have a quarantine department, manned by this government, where you have another department costing from $2,000 to $3,000—you have all these things, and yet the money which is supposed to go to bring immigrants into this country is put to uses like that.

Mr. OLIVER. I think those of us who were here last session of parliament, and heard the discussion on the complaints with regard to the admission of immigrants into Canada afflicted with diseases which were not quarantinable—I say those of us who remember that discussion, showing a general agreement on both sides of the House, will think that sufficient has been established to justify the appointment of these two officers. There is a quarantine establishment at Victoria under the control of the Department of Agriculture for the purpose of keeping out certain classes of disease and taking stringent measures to that end. It was not against those diseases that complaint was made in the House last session, it was against diseases of an entirely different character, and it was thought that the interest of the public required that these diseases should be guarded against as well as those which were quarantinable. The hon. gentleman (Mr. Foster) finds fault because I am not able to give him a statement of where the immigrants come from, how many have arrived, and how many have been excluded by reason of this provision. His complaint might be reasonable if this system had been in operation for a considerable length of time. But the facts are evident, Victoria and Vancouver are the only ocean ports on the Pacific coast, and to those ports come traffic and travel from every other port on the Pacific coast. Under these circumstances, if there is any port in Canada that should be protected against the introduction of that class of disease against which those complaints were made last session, then Victoria and Vancouver are those ports above all others. The volume of immigration is not the question. The possibility of the introduction of disease is the question, and there is no question that at these two ports Canada stands in the greatest danger of the intro-

duction of the classes of disease against which the strongest complaint was made here at the last session of parliament. As a result of that complaint, measures have been taken strictly in accordance with the unanimous view of parliament at that time. These measures have been taken such a short time ago that it seems to me that the demands for information and the criticism which is offered on the subject are hardly fair or just, and I think my hon. friend will hardly press his criticism when he considers the matter.

Mr. FOSTER. The minister is not the guardian of the health of this country. As Minister of the Interior administering the Department of Immigration he administers the immigration and that alone. It is none of his business to search every port on the coast of this country and to provide an establishment at every port at which foreign ships are arriving, to prevent certain diseases from coming in. He administers the Immigration Department. He toots for immigrants ; he has his men in certain parts of the world bringing in immigration. It is his duty to look after the health of the immigrants he introduces into this country and yet he tries to justify himself because it is possible that people having these diseases will come in at Victoria and Vancouver. It is not his business to take the money that we vote for immigration and apply it to the general health of the community at every port in the Dominion. The hon. gentleman says that he thinks he has made out a case. What case ? Suppose he asked us to vote half a million of money to put a pork packing establishment into operation, that he would go to work and say that he had a splendid establishment, that he had got everything from the killers to the prime curers and that if you asked him if there were any pigs or hogs anywhere in the vicinity he would say that he did not know that there were any; he would provide his establishment for curing before he had thought of finding out whether there was anything to cure. Here he is setting up an expensive establishment costing $6,300 and he has not a shred of a condition on which to base it. Where do your immigrants come from ? You know where you agents are ? Have you immigration agents in China or Japan or in any of these countries bordering on the Pacific? Have you an immigration propaganda in that direction at all ? It all lies in the other direction and to the south of us and it is those immigrants which you are bringing into this country from your agencies whose health you are instructed by parliament to look after, and it is that alone. There is a provincial board of health to look after the health of the people in certain respects. There is a department of quarantine in connection with the Department of Agriculture which looks after the general health conditions, and the legislation which was passed last year was that in the case of immigrants which you brought into this country you should take care that those suffering from certain diseases were not allowed to come in and become citizens. Now, without a shred of evidence, without a single condition on which to base it, without any vote from parliament you have gone ahead and set up your $6,300 establishment of officers, you have done it since the 1st of May, parliament has been in session and you have never informed parliament of the fact. I never heard of such a thing being done by a minister in my time.

Mr. OLIVER. I do not think that the discussion of last year dwelt so strongly upon the division of duties between the different departments of government as it dwelt upon the absolute necessity of excluding disease, and disease of the kind which is not subject to quarantine. Disease is something that does not wait for acts of parliament or for votes of parliament.

Mr. FOSTER. Hear, hear.

Mr. OLIVER. And if there were a condition existing such as that which was complained of last year, surely the government would be falling short of its duty if it did not provide against that condition. That was the impression left by the discussion of last year. As to the propriety of this duty being laid upon the Immigration Department, I think my hon. friend will agree that there is no question about the propriety of the duty being laid upon the Immigration Department as far as the eastern or Atlantic ports of Canada are concerned. That being the case, I take it for granted that it does seem reasonable that the same provision which is found necessary at the Atlantic ports might very well be applied to the Pacific ports being in exactly the same line as dealing with a class of diseases not provided for in the quarantine regulations. I need not repeat that it is through these ports, by ships sailing from ports on the other side of the Pacific, that we must reasonably expect disease, and the fact that the government, or its department, is actively engaged in bringing in immigration from certain countries does not relieve it in any degree from the duty of protecting the country from diseases that may be introduced by people from countries other than those.

Mr. FOSTER. Will the hon. Minister of the Interior show me any authority he has for taking in his charge, even suppose he had a vote, the general health of the country outside of that which appertains to his stream of immigration and that alone ? The hon. minister should be here to-night asking for a Bill of indemnity. What right had he to take the people's money ? Last year this estimate was brought down and these details were spread on 'Hansard.'

You are asked what you propose to do, how you are going to use this money and you get a vote for that use and nothing else. You had no more right to spend it for anything else than you would have to buy a piano and put it in your own house at the public expense. But here, without any legal authorization at all you have assumed to take the general health of this country into your charge and, without the authority of parliament you have put an expensive establishment on the other side against the introduction of general diseases. The minister ought to be asking for a Bill of indemnity. That is the proper thing for him to come for instead of this $6,300.

Mr. OLIVER. I must say that I think the distinctions which the hon. gentleman draws are altogether too fine for the ordinary citizen.

Mr. FOSTER. They are too fine for this kind of work, no doubt.

Mr. OLIVER. It seems to me, from what I recollect of the discussion in parliament last year, that inasmuch as the Immigration Department was chiefly concerned with the bringing of people to the country the duty was therefore laid upon the Immigration Department of keeping out the diseases which through the efforts might be brought into the country. The Immigration Department being only charged with the duty of protecting the country against diseases which might come by way of immigrants brought in through its exertions as an Immigration Department, is its official action to be paralyzed at each port as soon as it comes into contact with an individual who has arrived at that port not through the exertions of the Immigration Department? Surely my hon. friend will not argue that. If we are called upon to establish at Halifax a detention hospital for the purpose of caring for the diseased immigrants who arrived there are we not reasonably expected to care for other people who arrive at the same port subject to the same disease, whether they arrive at that port through our exertions or not ? The country expects the Immigration Department at the port of Halifax to guard against certain diseases and to care for the cases of disease which come to that port no matter by what means they arrive there. These persons are just as liable, if not more so, to land at Vancouver and Victoria as at Halifax and St. John. There being no other department of the government charged with protecting Canada against these diseases, it is natural that the Immigration Department which discharges the duty on the Atlantic should also have that duty on the Pacific. The judgment of the House last year was that these diseases should be guarded against at the ocean ports ; it was the disease which was to be guarded against, it was not a question of the division of duties between the departments or discrimination between different classes of immigrants. The estimates may not be for the proper department, but the point is that the government is making provision to guard against the introduction of disease.

Mr. FOSTER. The hon. gentleman (Mr. Oliver) is entirely wrong. Is he minister of immigration or minister of disease ? What is his legal authority for acting in this way ? It is the law the minister should be guided by and not what he thinks was said or left unsaid. He says that because he is Minister of Immigration he is authorized to fumigate these immigrants and inspect them, and that therefore because parliament has specifically granted him this authority he can extend it to the case of disease all over this Dominion. Such a thing has never been heard of. It is the Department of Agriculture that has the health of this country in charge and the minister cannot show a shred of law to justify him. Even if it were within the jurisdiction of the minister looking after immigration he has no vote for it and no authority.

Mr. A. A. McLEAN. I agree with the observations of my hon. friend (Mr. Foster). If the minister will look up the Public Health Acts, 1868, and amendments, he will find that the Governor in Council has power to deal with this matter and that the Minister of the Interior has no power to exercise the authority which he has undertaken. The Health Act provides for the inspection of any passengers who land at any port in Canada from any steamship or in any way, and it gives the Department of Immigration nothing at all to do with the matter. The provisions of the Health Act are carried out under the quarantine law and there is a quarantine officer and a medical health officer in every maritime port. When the Minister of the Interior supplements those officials by appointing other officers to deal with trachoma he is altogether outside of his power. He will not find in the statute which created his department any authority for asking this vote to-night.

Mr. OSLER. If there had been any emergency, which there has not, we could forgive the minister even if he had acted irregularly. But the hon. gentleman is not able to point to one single diseased immigrant who was turned back. Why is it that on the 3rd of May while this House was sitting there was such an urgent demand to make these four or five political appointments. The minister is right in saying that the House expressed itself strongly on this subject, but there was not a single suggestion that diseased people were coming in at Pacific ports. The Minister of the Interior has these five men illegally in his employ today at the expense of the country. It is extraordinary that the minister should press this vote after this has been called to his attention. What are the names of these men whom he has appointed ?

Mr. OLIVER. I gave them before. Dr. J. N. Milne, superintendent medical officer, Vancouver, $2,500 ; Charles Patterson, clerk, $900 ; J. A. L. McAlpine, medical officer, $1,000 ; Dr. Monroe, $1,000 ; Thomas Elliot, $900.

Mr. OSLER. Have reports been received from them ?

Mr. OLIVER. Yes.

Mr. OSLER. Have you seen the reports ?

Mr. OLIVER. No, but my officer informs me they have been received.

Mr. OSLER. These men have been appointed for two months now and reports have been received from them in connection with this important matter of keeping out diseased immigrants. These men were appointed hurriedly as a matter of great necessity, and yet it is not worth the minister's while to examine their reports and see whether they are of any use to the country. It is most extraordinary.

Mr. OLIVER. In view of what was said last session I expected a very strong commendation especially from gentlemen on the other side, for the vigorous action taken by the government in regard to this very matter. I had no expectation of being challenged on this vote, and if I had I would have armed myself more fully with facts and figures.

Mr. FOSTER. Then let the item stand until you get the information.

Mr. OLIVER. I do not think it matters greatly whether the figures are 5 or 100. It is so plain that to our Pacific ports comes the whole trade of the Orient, and knowing the nature of the diseases which prevail in the east, it must be within the judgment of every person that if there is any place in Canada we should guard it is these very ports.

Mr. FOSTER. There the minister has given his case entirely away. He has placed it on the basis of health and no other. He says that because these are great ports, with a great many arrivals and departures, particularly arrivals, he has a right to constitute establishments there and to usurp the work of the Department of Agriculture. Is the minister going to put his establishments at every principal port of this Dominion where ships come and passengers alight ? If at one for the general reason of health, then at all for the same reason. The minister is confined, by his Act, by his vote and by the discussion in parliament, to immigrants ; but he has taken up a piece of work which he has no authority to take up, he carries it on with money that was not voted for that purpose, and now he wishes to father it on a department which has no business with it unless it is in connection with immigrants.

Mr. DANIEL. Can the minister tell us what instructions are given to these special-medical officers? Is it their duty to examine every one who reaches Victoria or Vancouver in a vessel, or is it not ?

Mr. OLIVER. All second-class and third-class passengers are examined.

Mr. FITZPATRICK. I quite agree with what my hon. friend from North Toronto (Mr. Foster) says with respct to the control of the Department of Agriculture over the health of Canada. At the same time, if the hon. gentleman will look at the Act respecting immigration and immigrants, chapter 65 of the Revised Statutes of Canada, he will find that section 24 provides :

> The Governor General may, by proclamation, whenever he deems it necessary, prohibit the landing in Canada of any criminal, or other vicious class of immigrants designated in such poclamation, except upon such conditions for insuring their re-transportation to the port in Europe whence they came with the least possible delay, as the Governor in Council prescribes.

If, as a result of the immigration policy adopted by the Department of the Interior, undesirable immigrants are brought in, it seems to me that the responsibility for dealing with these immigrants rests with that department. It seems to me that we ought to go further if, as a result of the transfer to that department of the control over immigration, diseases which are peculiar to immigrants are brought in. Then it is proper for the government by proclamation to place the charge of that whole matter under the Department of the Interior, and I am informed by the officials that it was under this particular provision of the Act that the matter was transferred to the Department of the Interior.

Mr. FOSTER. Then we have another feature imported into the matter. The Minister of Justice has read a clause which applies exclusively to immigrants, and it seems that it requires a special proclamation. Has there been such a proclamation ?

Mr. OLIVER. I understand that there has been.

Mr. FOSTER. Where is the proclamation? We must see that.

Mr. OLIVER. I haven't it under my hand.

Mr. FOSTER. Then we had better let the item stand.

Mr. FITZPATRICK. Perhaps my hon. friend from North Toronto will allow it to go through on the understanding that the proclamation will be brought down.

Mr. FOSTER. I feel very strongly on this matter. In the first place, this arrangement is being applied to immigrants, and without any vote of parliament. Surely

we must keep down to some rule. There is not a shadow of evidence before this House to justify it. The minister himself cannot say that any immigrants come in there. In fact, the assumption is that they do not.

Mr. MACPHERSON. Does the hon. gentleman know that in the last five or six years three or four thousand immigrants have come into the port of Vancouver?

Mr. FOSTER. I look for my authority to the Minister of the Interior, and he has no record of them.

Mr. MACPHERSON. The fact remains that the immigrants have come in.

Mr. FOSTER. We have not that from the department. From what countries does that immigration come? I am satisfied that people drift in from Australia and elsewhere; you may call them immigrants if you like; but this legislation refers to immigrants in a special way—the immigrants that form the stream of people who are brought in to settle on the vacant lands of Canada. I do not doubt that passengers have come in.

Mr. MACPHERSON. The hon. gentleman splits hairs on this matter. Our province has been deluged with Japanese, and if we had had preventive officers such as are appointed to examine these people, the result would have been very different for the province of British Columbia. It would have been much better for us as a people not to have been deluged with these hordes of yellow men from the other side of the sea, whom we did not want. Many of them have come in diseased, and have been a menace to our white population in British Columbia. I am glad that these people cannot now land on our shores without being thoroughly examined, and deported if they cannot be cured of the disease.

Mr. HAGGART. There is no Act of parliament which gives this jurisdiction to the Minister of the Interior. His only jurisdiction is over pauper or destitute immigrants, whom his officer may refuse to allow to come into the country. If they are diseased at all, it is his duty to call upon the medical superintendent or upon any English-speaking physician at his quarantine station.

Mr. FITZPATRICK. That refers to quarantine diseases.

Mr. MACPHERSON. Trachoma and syphilis are not quarantined.

Mr. HAGGART. There is no power given to the Interior Department to appoint a medical officer.

Mr. FITZPATRICK. How would it be with respect to deportation? I would like my hon. friend to bear in mind that I am now speaking from my general knowledge; I have no special knowledge with respect to this matter, but it seems to me that there is a clear line of demarcation between the quarantine and the returning of immigrants. The quarantine authority has only the right to quarantine the particular person with the disease, to isolate him from the rest of the community, but so far as the immigrant is concerned, as I understand the intention of parliament was to protect Canada against the undesirable immigrant and to allow him to be deported. There is a distinction between quarantine and deportation.

Mr. HAGGART. But that deportation applies only to the Immigration Department, it only applies to pauper or destitute immigrants.

Mr. FITZPATRICK. Does it not apply to diseased immigrants?

Mr. HAGGART. No, this is the section:

> The Governor General may, by proclamation, whenever he deems it necessary, prohibit the landing of pauper or destitute immigrants in all ports or any port in Canada until such sums of money as are found necessary are provided.

It goes on to provide, where there is disease for such vessel being visited and superintended by the medical superintendent or any inspecting physician of any port or quarantine station. There is no jurisdiction at all in the Immigration Department to appoint a medical officer. He can refuse to allow a destitute or pauper person to come in. That is within the power of his department. Where there is disease then he has to call upon the superintendent or medical officer of the quarantine station.

There is another thing which the minister has not attempted to explain. These parties were appointed two months ago and have been paid. How are they paid? Out of the general immigration vote?

Mr. OLIVER. General vote.

Mr. HAGGART. What authority has the minister to pay them out of the general immigration vote? The fact that he comes here and asks for their payment by a salary voted by this House shows that he has no right to take it out of the general immigration vote. You appoint these men and you have no authority under any Act of parliament to do so. There is no jurisdiction in your department at all.

Mr. OLIVER. It seems to me it must be clear that the department which is charged with the duty of bringing in immigrants is in the nature of things charged with the duty of seeing that these immigrants are fit and suitable persons to become citizens of this country.

Mr. HAGGART. The law provides how you are to do it and that alone.

Mr. OLIVER. As I judge from the discussion of last year the House was not satisfied with the administration of the law as it then stood. It was very much dissatisfied with that administration and asked for some better or more vigorous administration looking to the exclusion of these immigrants. Now I am not learned in the law, but I think it is fair to suppose that if this department is charged with the duty of dealing with immigration, unless it is expressly prohibited from caring for the physical condition of the immigrants who come in, it is its duty to so care for them. I have every desire to meet all questions that may be asked, but it seems to me that the time has almost arrived to call attention to the fact that at the last session the Department of the Interior in its immigration branch was most strongly condemned on the floor of this House by members of the opposition because of its having permitted the entrance into the country of people having certain diseases and that to-day it is being as strenuously condemned by the same members of the opposition for having taken the action demanded at the last session. If there is one disease more than another that this country should be guarded against it is the disease of leprosy, and it is the disease of leprosy that is most apt to come in by the Pacific coasts. What my friend from Vancouver said, that the prevention of the introduction of one case of disease would justify all the expenditure which is made at this port, I am satisfied will be upheld by every man living in the Pacific provinces, if that disease is of the kind I have mentioned which is most likely to be introduced at that port.

Mr. DANIEL. With the appointment of special officers on the Pacific coast to look after special diseases such as trachoma, I think nobody will find any fault, and I think the Minister of the Interior has got into this little difficulty to-night because he has said that it was not immigrants that he was looking after, but the ordinary passenger traffic of the port. I am quite satisfied that in many cases the ordinary quarantine officers might not be the most suitable for detecting very slight cases of trachoma and perhaps some other special diseases. Leprosy is one disease which the ordinary quarantine officer is supposed to detect when it is present. The disease is not frequent and I feel quite sure that the ordinary quarantine officer is quite capable of detecting it or at least quite as capable as any special officer whom he might obtain in Canada would be. The minister, however, stated that they were not immigrants, that there was no special immigration coming in to the port of Victoria.

Mr. OLIVER. If I said so I did not intend it.

Mr. DANIEL. I quite agree with that idea that in so far as trachoma, and perhaps one or two other special diseases of that kind are concerned, it is the duty of whatever authority has it in power to appoint special medical officers for the purpose, because I do not believe the ordinary quarantine officers are generally able to look after that matter in a proper way. The only point of dispute that I can see is that for the quarantining of the ordinary passengers that come and go in the vessels who are not especially classed as immigrants would come under the control of the regular quarantine officials of the port, but at the same time if there is any great passenger traffic on the Pacific coast of people who are subject to those diseases, I can very well understand it is the duty of some one to appoint such special officers as the country would have confidence in as being able to detect special diseases, such as trachoma, and some others. This has been found necessary on the Atlantic coast, and I have no doubt that the appointment of these special officers there has been of very material advantage in preventing these people from coming in and bringing disease into the country.

Mr. OSLER. The Minister of the Interior insists that the opposition are now taking a stand against the position that they took last year. I say that that is not the case, but that they stand as strongly as they did last year in favour of due precaution in this matter. And, apparently, what the opposition has said has compelled the government to recognize the need for greater precaution in admitting immigrants into Canada. But what the opposition object to is the expenditure of $6,300 when the minister cannot show that the officers appointed are needed. Of course, it is possible that at some time diseases may come in at these points; but the minister knows nothing about it coming in now. There are more immigrants, ten times over, coming across the bridge at Niagara than come in at Vancouver and Victoria. There are more immigrants, ten times over, coming from Lewistown across the lake to Toronto than come in by these western ports. Is the minister going to appoint a quarantine staff at Niagara and at Toronto to keep out diseased persons?

Mr. CAMPBELL. The Ontario government can look after that.

Mr. OSLER. And the British Columbia government have the same power with regard to Victoria and Vancouver. It is manifest that the officers appointed have been

appointed against the law—there is no authority for their appointment, even if their appointment were necessary, and no necessity has been shown. If the minister could show any need for precaution at these ports, the House would be very glad to vote $1,000 to put on an extra medical officer. Then if, on the report of that officer, the necessity was shown to exist for greater expenditure, both sides of the House would willingly join in voting it. But to come down here with an estimate of $6,300, and no reason to give for it except by harking back to the fact that the opposition last year showed that there was laxity in the keeping out of diseased people, is altogether unreasonable.

Mr. A. A. McLEAN. I would ask the Minister of the Interior (Mr. Oliver) to point out the Order in Council which would justify the appointment of these medical officers. I have a volume of these orders here. I think the hon. minister will find neither in the statute-book nor in the Orders in Council any authority for these appointments.

Mr. FITZPATRICK. These Orders in Council were collected, I think, in 1886, at the time of the revision of the statutes.

Mr. A. A. McLEAN. In 1888.

Mr. FITZPATRICK. The benefit derived from this discussion will be to oblige us to look into this matter more closely. Speaking for myself, I must say that I am better informed on this subject than I was. I think the hon. gentleman (Mr. A. A. McLean) will find that section 24 of chapter 65 of the revised statutes, to which reference has been made, has been amended in such a way as to make the proclamation applicable, not only to immigrants, but to any undesirable person coming in. I stated on the authority of the officials of the Immigration Department that the appointments referred to must have been made under this amended statute of 1902.

Mr. HAGGART. The statute of 1902, to which the hon. gentleman (Mr. Fitzpatrick) refers, applies to individuals, as I understand it.

Mr. FITZPATRICK. I do not think it would be necessary to have a proclamation for each individual. The intention, as I understand it, is to provide that the Governor General may, by proclamation, regulate incoming immigration or prevent any undesirable person from entering Canada. I apprehend that the change in the law was an extension to make it apply to other persons than immigrants. The criticism of my hon. friend from Toronto would be unanswerable if there were only the other sections of the law, but with this change, I think the appointments are authorized.

Mr. HAGGART. As I understand it, the law gives the Governor General power, by proclamation or order, when he thinks expedient or necessary, to prohibit the landing in Canada of any immigrant or other person who is suffering from any loathsome, dangerous or infectious disease or malady, whether he intends to reside in Canada or to depart. Then the Governor General may make other conditions—may admit the persons for a period or a time that he may have hospital treatment, after which it may be determined whether he may be allowed to enter or not. I think it is a proclamation that applies to each individual.

Mr. FOSTER. If the minister will allow this item to stand over until he brings the information that he ought to give, and will come down either with some reason for voting this money or with some confession that he assumed that this expenditure was necessary, that will be satisfactory. He may have had an indefinite idea that because of something that was talked about it was necessary for him to make these royal appointments of his at the expense of $6,300 in one establishment, even while parliament was sitting and without any vote of parliament having been passed.

Mr. FITZPATRICK. I understand my hon. friend to ask for a copy of the proclamation or order under which the appointments were made?

Mr. FOSTER. I would like that. But, more especially, I would like to be informed what is the condition which makes this establishment necessary? He has not told us that. He can go on and talk about general principles from now to doomsday, but that does not give us the special reason for passing this particular vote. If ministers will not take more care to keep themselves within the law and to treat parliament properly, they must expect these little contretemps. The minister might as well acknowledge and withdraw it. There will be a lot of talk about it if that is not done.

Mr. OLIVER. I understand the hon. member for North Toronto (Mr. Foster) and the hon. member for West Toronto (Mr. Osler) to take upon themselves the responsibility of saying that this item shall not pass until certain papers are brought down. That being the case, and they assuming the responsibility, I am quite willing that the item should stand until it suits their pleasure to let it go through.

Mr. FOSTER. Let the item stand or reduce it by $6,300.

Mr. OLIVER. I want to be perfectly clear as to the information the hon. gentleman wants. And, by way of finding that out, I will just go over the position as I understand it. Some years ago the Immigration Department became aware that, with its efforts for the introduction of immigrants into the country, some parties were coming in who were suffering from disease,

or who were otherwise undesirable. Under the law, as shown by the Minister of Justice, provision was made for the appointment of medical officers at certain points to prevent diseased people from coming in.

From time to time these votes were passed by parliament, there was no fault found with the appointments that were made, no question of the authority of the minister to make them or to pay the money. That condition of affairs has prevailed for some two years. Now, in answer to the very strong demand made by the opposition last session, the government has taken upon itself further to increase this means of preventing the introduction of disease into that country. And to-night we are told that the item cannot go through, because there is no authority for it, although a similar vote has been going through parliament for the two previous sessions. It seems to me that hon. gentlemen are going beyond the mark when they demand in the third year of a certain vote being placed before parliament, the authority for its introduction. Now the only point is as to whether it is proper to appoint such medical officers at Vancouver and Victoria ; on that point we will have to take issue with our friends opposite ; when they say that the province of British Columbia is not entitled to be protected against oriental diseases to which they are liable, then I say we have to take issue with them. We understand thoroughly that they ask for the postponement of this item because they object to the protection being given to the province of British Columbia which has been accorded to the eastern provinces.

Mr. FOSTER. I cannot sit in my seat and hear the minister make a statement like that. Why can he not be fair and honest in the matter ? What is the use of him saying that either I or my hon. friend from West Toronto (Mr. Osler) ever took the position that we were opposing this vote because we did not wish the Pacific coast to be protected against disease ? Now I ask the minister that.

Mr. OLIVER. Because this vote contains items of an exactly similar nature to which they do not object.

Mr. FOSTER. I raise the point of order that the Minister of the Interior made a statement with reference to myself and the hon. member for West Toronto, who can look after himself, the statement being that I opposed this vote because I was unwilling that the province of British Columbia should be protected against disease. I deny that, I never took that position, and I ask the hon. gentleman to withdraw his statement.

Mr. OLIVER. I did not say the hon. member made the statement, I said that was the position which he took, and I will give him a proof of it.

Mr. FOSTER. That is no way of getting out of it. The minister knew exactly what he intended to say, and what I intended to say. Now he attempts to excite, by this small trick, the susceptibilities of British Columbia against my hon. friend from West Toronto and myself. We are both of us too old to quail before a trick of that kind. I ask the Minister of the Interior to disavow his statement of my position.

Mr. OLIVER. If the hon. gentleman is under the impression that I said that he said he was opposed to giving British Columbia protection, then I will withdraw my statement, because he did not say that. But as to that being his actual position, I will take the trouble of placing the proof upon 'Hansard.'

Mr. FOSTER. Go ahead.

Mr. OLIVER. The hon. gentleman has taken the responsibility of opposing this vote of $6,300 for the purpose of establishing machinery for detention hospitals at Victoria and Vancouver, he has in fact moved to strike it out, when on the same page of the same estimate which I placed upon the 'Hansard' at his request, is an almost precisely similar vote for the same protection at Halifax and Quebec; and he does not move to strike out these votes in regard to Halifax and Quebec, has raised no question as to their legality, but confines his opposition to the votes for Vancouver and Victoria.

Mr. FOSTER. My hon. friend is wrong. Who raised the question as to whether Halifax and St. John should be protected ? I had no knowledge of it until the minister told me what he proposed to do with reference to Halifax and St. John.

Mr. OLIVER. At the beginning of the discussion on this estimate, I read out these votes for Halifax and Quebec, within his hearing.

Mr. FOSTER. Then if he read these out and they were for Halifax and St. John, I did not know it. If that is so, it is all right. But suppose they were for Halifax and St. John. My point was entirely as to whether the minister had a right to have this medical inspection with reference to immigration, and I asked him to show what immigration there was coming into other ports. If he cannot show any immigration coming into St. John or Halifax, then I will vote against any officers being appointed to look after pauper and diseased immigrants at those points. If he can show that there is a necessity for making these hospitals, then I will vote for them. But the minister knows that he has not given a shred of evidence as to any necessity for inspection on that side.

Mr. OSLER. I do not suppose it is worth my while trying to explain the minister's

statement, because the House knew exactly what I meant and what he meant. I stated that if it was necessary, if there was disease to be checked, I would consent to the vote, though it was illegal, and I will do so now. But when the minister, a responsible man in this House, presents an estimate for a new expenditure and is not able to give the House a solitary word of explanation, are we to be brow-beaten because we object to that? It is not the expenditure we object to, it is the minister's inability to give this House any reason why this vote is necessary.

If it is not necessary to go to this great expense at Victoria and Vancouver and if there is no need for it under present conditions, then, it is a wrong estimate to put in whether it is under the proper department or not. The hon. minister knew perfectly well when he stated that I was against this vote for British Columbia that he was stating something that I never said and did not intend to say. I will vote for any amount which may be necessary to keep British Columbia ports free. In the discussion of last year the government were blamed for their negligence in failing to look after pauper and diseased immigrants coming in at Atlantic ports. I do not believe this has been sufficiently provided for yet. It has been shown that large numbers are still coming in. I think that my hon. friend from Jacques Cartier (Mr. Monk) stated the other day that 1,000 men were suffering from trachoma in Montreal alone. These people have been allowed into this country by the carelessness of the government in carrying out the proper regulations. If it is necessary to vote $60,000 to keep British Columbia pure I will vote for it with the greatest pleasure, but when the hon. minister comes here with a $6,000 estimate and will not give us any information as to why the money should be voted, when he knows nothing about it, when, although these men were appointed months ago and have sent reports to this government, he has not thought it worth while to look at these reports, when he cannot say whether one single man has been detained on account of disease by those persons who have been appointed, I think it is the duty of this opposition to object to that vote until we have some explanation.

Mr. A. A. McLEAN. I would like to ask the hon. minister what section of the Act of 1902 would justify the Minister of the Interior in appointing these men or would justify this House in passing this sum of money?

Mr. FITZPATRICK. My information is that there is a printed order or printed regulation which he will get from the officials of his department, and as I understand it is agreed that this item is to stand over to enable the minister to produce a copy of this order or these regulations.

Mr. OSLER. And also to supply the information upon which he bases this expenditure of money.

Mr. FITZPATRICK. The minister will do that.

Mr. OLIVER. I am very glad to hear the hon. members for North and West Toronto disclaim any antagonism to the interests of British Columbia in regard to this vote, but I do not think they have bettered their position by demanding the evidence of the possibility of the introduction of diseased people at the ports of Vancouver and Victoria. I think when they declared this vote would not go through until such information is forthcoming they thereby showed their willingness to do exactly what I took upon myself to say was the necessary consequence of their attitude; that is to say when they question the desirability of providing against the introduction of disease at two such ports as Vancouver and Victoria I do not think there is any room for argument.

Item allowed to stand.

Department of the Interior—Dominion Astronomical Observatory—to provide for the salaries of technical officers and clerks, $13,780.

Mr. FOSTER. What is that for?

Mr. OLIVER. This is to provide for the salaries of technical officers and clerks.

Mr. FOSTER. Are all these new men with the exception of Messrs. King and Klotz?

Mr. OLIVER. They are all old employees.

Mr. FOSTER. Where have they been employed?

Mr. OLIVER. They have all been employed in the same department.

Mr. FOSTER. Here in Ottawa?

Mr. OLIVER. Yes.

Mr. FOSTER. In the astronomical department?

Mr. OLIVER. Yes.

Mr. FOSTER. Have the estimates for these been dropped in the survey?

Mr. OLIVER. Yes, they have been dropped out of the survey and put here.

Mr. FOSTER. Where are they to have their habitation?

Mr. OLIVER. Their work is in the Dominion observatory at the experimental farm.

Mr. FOSTER. You are simply moving them from their former place of employment to the new place out there?

Mr. OLIVER. Yes.

Mr. FOSTER. What is the policy of the department as to the Toronto observatory? I think there was a promise of a building

there. What is the exact position of matters as regards the astronomical and meteorological department there, or is it entirely a meteorological department there ?

Mr. OLIVER. The observatory at Toronto is under the Department of Marine and Fisheries. It has nothing to do with the Interior Department.

Mr. FOSTER. It is entirely meteorological ?

Mr. OLIVER. Yes.

Geological Survey—to pay Mr. Frank Nicolas, from July 1, 1905, one year's salary as editor of the Geological Survey publications, notwithstanding anything to the contrary in the Civil Service Act, or the Act respecting the Departmen of the Geological Survey, $1,500.

Mr. BERGERON. Is that a new work altogether ?

Mr. OLIVER. The director is not here, but I think it is. This is practically a new appointment.

Mr BERGERON. Who did that work before or how was it done ?

Mr. OLIVER. In the absence of the director I cannot actually say, but I think it may possibly have been done by the director or the acting director.

Mr. FOSTER. Is this a new appointment?

Mr. OLIVER. Yes.

Mr. BERGERON. Why do you say 'notwithstanding anything in the Civil Service Act.'

Mr. OLIVER. Mr. Nicolas is not a member of the civil service.

Mr. BARR. Is he too old or has he not passed any examination ?

Mr. OLIVER. I do not think he has passed any examination. He is employed as the editor of the Geological Survey publications. This is not technically a branch of the service.

Mr. BERGERON. What is the use of saying 'notwithstanding anything in the Civil Service Act' ?

Mr. OLIVER. I am unable to give the particulars in the absence of the director.

Mr. FOSTER. Make a note with regard to that and bring the information and the item can pass.

Government of Northwest Territories—expenses in connection with Northwest Land Titles Office, including salaries of registrars and other persons employed in such offices, $25,000.

Mr. OLIVER. The registration is under the Torrens system and the registration offices are called land titles offices. The Dominion pays the salaries and collects the fees. Eventually this service will pass under the new provinces. The vote was $39,000 last year but we think $25,000 will be sufficient until the provinces take charge.

Grant to Yukon Local Council for maintenance and repairs of roads, $100,000.

Mr. OLIVER. This is the only vote this yeear, and last year the vote was $134,000.

Mr. FOSTER. Is there any supervision by this government over that expenditure ?

Mr. OLIVER. The accounts are audited by our Auditor General.

Mr. BERGERON. What guarantee is there that they spend the money for that purpose ?

Mr. OLIVER. The commissioner is an officer of this government responsible to us and he is president of the Yukon council.

To pay Major Z. T. Wood additional living allowance as acting commissioner of the Yukon Territory, notwithstanding anything in the Civil Service Act, $2,000.

Mr. OLIVER. Major Wood has been acting governor since the resignation of Mr. Congdon and it was thought proper to give him this allowance over and above his pay.

Mr. BERGERON. What is his regular salary ?

Mr. OLIVER. $2,400.

Mr. BERGERON. Does he get a living allowance in addition ?

Mr. OLIVER. I do not think he gets anything more than rations as a police officer and as such he is not under the control of the Interior Department. It was thought that having to occupy a different house and assume different duties as acting governor it was justifiable to give him this amount.

Mr. FOSTER. How long has he been acting governor ?

Mr. OLIVER. Eight months.

Mr. BERGERON. It is a bonus then ?

Mr. OLIVER. Yes.

Mr. FIELDING. It is not a bonus on his salary. It is on the assumption that by virtue of his position of governor he had to assume additional obligations.

Mr. FOSTER. Distinguished visitors would be entertained ?

Mr. FIELDING. Yes. It was not thought well to increase his salary but it was believed this allowance ought to be made by reason of the higher position he occupied.

Mr. FOSTER. I think that is fair. Who is to assume the ermine ; is it——?

Mr. BENNETT. Billy MacInnes ?

Mr. OLIVER. Mr. W. W. B. MacInnes.

Mr. FOSTER. Has he been already enthroned ; I suppose we would have heard

the salute of the guns here if he assumed office ?

Mr. OLIVER. He has reached Dawson.

Mr. FOSTER. What salary does he gather ?

Mr. OLIVER. $6,000 salary and $6,000 living allowance.

Mr. FOSTER. My ; what a bonanza.

Mr. HERRON. Major Wood has been an officer of the police force for a great many years and an excellent officer he is. I do not think this allowance is too much.

Mr. FITZPATRICK. Hear, hear.

Dominion Lands—further allowance required to salaries of outside servants, $34,000.

Mr. FOSTER. What vote has been taken already for this year ?

Mr. OLIVER. $156,000.

Mr. FOSTER. What was the total vote last year ?

Mr. OLIVER. $147,500.

Mr. FOSTER. Why do you require the enormous addition of $42,000 for salaries here ?

Mr. OLIVER. This is to pay salaries for services in the Northwest connected with the settlement of the lands and also a certain portion of the outside service at Ottawa. It is rendered necessary by reason of the increase of work resulting from the increased settlement. As the population increases there is of course a great deal more work in getting the titles of the lands, and cancellation, and proving patents and so on.

Mr. FOSTER. Well, what do you propose to do with the extra $42,000, an increase of nearly 30 per cent ?

Mr. OLIVER. The new appointments are :

C. T. Spence, clerk, Ottawa, $1,200; William Lamb, clerk, Ottawa, $1,200 ; B. T. Haanel, clerk, Ottawa, $1,500; C. H. Bennett, clerk, Ottawa, $540; A. E. Smith, clerk, Ottawa, $500; Captain Powell, timber inspector, High View, $1,200; J. Seale, homestead inspector, Dauphin, $1,200; S. P. Porter, homestead inspector, Regina, $1,500 ; W. R. Ridington, homestead inspector, Lloydminster, $1,200; W. H. White, homestead inspector, Fort Saskatchewan, $1,200; F. Kennedy, homestead inspector, Fort Saskatchewan, $1,200; D. C. McNab, homestead inspector, Brandon, $1,200; W. M. Thomson, sub-agent, Fort Qu'Appelle, $360; F. J. Houser, sub-agent, Humboldt, $300; D. K. Weber, clerk, Battleford, $720; R. E. A. Leach, inspector of agencies, Brandon, $2,000.

Mr. FOSTER. Is that the Mr. Leach of whom we have heard so much?

Mr. OLIVER. He is at Macleod.

Mr. FOSTER. Is he at liberty ? He was in jail.

Mr. OLIVER. He is at Macleod now investigating the Nixon case as inspector of agencies.

Mr. FOSTER. What was he getting last year?

Mr. OLIVER. He was only appointed this year.

Mr. FOSTER. What was he doing last year?

Mr. OLIVER. He was not in the government employ.

Mr. FOSTER. Is he the author of the thin red line?

Mr. OLIVER. I do not know, I am sure.

Mr. FOSTER. That is rather a good kind of man to make an officer out of.

Mr. W. J. ROCHE. What does Leach do?

Mr. OLIVER. He is an inspector of land agencies.

Mr. W. J. ROCHE. That is a new office?

Mr. OLIVER. There was an officer who was an inspector of land agencies and Crown timber officer as well. Owing to the increase of business, it was thought well to leave Mr. Stephenson with full charge of the timber business and give Mr. Leach the land agencies.

Mr. FOSTER. How long has Mr. Leach been in the enjoyment of this?

Mr. OLIVER. Since the 1st of January.

Mr. FOSTER. You appointed him, then, before you got the vote?

Mr. OLIVER. Apparently.

Mr. FOSTER. Have all these gentlemen whose names you have read been appointed? They are all now at work?

Mr. OLIVER. Yes, they are all now at work.

Mr. FOSTER. That is, you appointed about $34,000 worth of clerks that you had not any vote for, and then you come down, without telling us anything about it, to get this vote through. The minister is travelling fast on the road to perdition—I mean political perdition.

Mr. LAKE. Mr. Smith Porter is one of those mentioned. Has he been given an increase of salary?

Mr. OLIVER. It is a new appointment.

Mr. LAKE. Did he hold an official position before?

Mr. OLIVER. I am told that he had been in the employment of the government at some time previous, but I cannot say in what capacity.

Mr. OSLER. The minister is making appointments of new men at large salaries in the older districts of the country. For instance, at Brandon and Regina he is placing homestead inspectors, though I venture to say that there is not a homestead within many miles of either of these towns that has not been settled, and therefore the new man seems to me to be as useless as a fifth wheel in a coach.

Mr. OLIVER. The home of the Brandon inspector may be at Brandon, but his employment may be anywhere in the Territories. I could not say where this man is employed at the moment, but his duties are not confined to any particular district.

Mr. OSLER. You might as well appoint an inspector at Ottawa, and send him up there. The appointments should not be given to us with the man's place of residence. They should be for the district to which he is assigned. If he lives at Brandon, he must be nearly half the year travelling, and when he is, it costs enormous travelling expenses.

Mr. OLIVER. I am informed that he is on duty at present in the Yorkton district. This is the way the homestead inspection is made. A list of lands for cancellation, we will say, and a list for inspection prior to the issue of the patents, is sent in from a certain district of country. The idea is to get as many of these together as possible, so that when the inspector is sent out, he can cover all these demands with the least possible amount of travelling; and it does not follow that he will be confined to any particular district or start from any particular point.

Mr. OSLER. How many homestead inspectors are there altogether?

Mr. OLIVER. Twenty-four.

Mr. OSLER. How many live in cities away from their districts?

Mr. OLIVER. I am informed that this Mr. McNab, who is stated as residing at Brandon, is employed in the Yorkton district—not in the Brandon district.

Mr. OSLER. What arrangement have you for paying the expenses of his travelling. To go from Brandon to Yorkton and back, with sleeping cars and meals, costs $25 or $30.

Mr. OLIVER. I think the hon. member is under a wrong impression. The information I have received is that Mr. McNab was a resident of Brandon when he was appointed to the Brandon agency where his services are not now required. He is now employed in the Yorkton agency where they are required and the transfer does not involve that expense of residence in Brandon and work in Yorkton.

Mr. OSLER. You have a new man in Qu'Appelle, a new man in Regina and another one somewhere else, new men in the old districts.

Mr. OLIVER. The Regina district extends north of Regina to a point, I think, beyond Davidson, on the Regina, Qu'Appelle and Long Lake Railway, and also extends a long way to the east, west and south. My hon. friend knows that in that country there has been probably the largest amount of settlement during the last year or two.

Mr. W. J. ROCHE. How long was Mr. McNab engaged in Brandon before going to Yorkton, and what is his christian name?

Mr. OLIVER. G. C. McNab; he was appointed on March 1, 1905.

Mr. W. J. ROCHE. That was the first appointment?

Mr. OLIVER. Yes.

Mr. W. J. ROCHE. What was his employment before his appointment?

Mr. OLIVER. I cannot say.

Mr. W. J. ROCHE. I am not sure whether this was the same McNab who was employed in Marquette all the year of 1904. He came from Brandon I think and was one of the employees of the Minister of the Interior at that time. He was engaged for eight months in organizing in Marquette, and I would be interested to know if he was the same man. I also desire to call the attention of the minister to the fact that he has made a new appointment to the district of Dauphin. There are already two homestead inspectors for the Dauphin district, Mr. Thomas Young and Mr. McGregor. Mr. Thomas Young and Mr. McGregor spent the major portion of last year, not in locating homesteaders, but simply as campaigners for the Liberal party. I am not speaking from hearsay, but from my own personal knowledge. Thomas Young had so much time upon his hands that he spent the entire fall in making a personal canvass with or without the Liberal candidates in Dauphin and Marquette. He was under salary at the same time, in fact Thomas Young was the gentleman who resigned from the position of homestead inspector two years ago and was the candidate for the Liberal party at the provincial elections there. I drew the attention of the Prime Minister to that case at the time, and asked what he was going to do and I intimated exactly what I thought was going to take place, that is that they would allow the gentleman to resign and reappoint him after his defeat. He was defeated at the election, but he resigned only on the 12th of July, and on the same day he spoke on the same platform as myself. After his defeat he was reappointed and his salary was increased from

$1,000 to $1,200. Young has been a busy worker on behalf of the Liberal party. He makes no bones about it, and the same thing may be said with regard to Mr. McGregor. This loading down of the service with all these homestead inspectors is not so much to cater for the incoming population as to cater for votes on behalf of the Liberal candidates. These men wield enormous influence on the foreign element. They practised intimidation in my own district and challenged nearly every Galician. Thomas Young stood at the poll on election day and told the Galicians that if they voted for me they would not get the patents to their lands. At the same poll was stationed a mounted policeman from Regina as well as a Galician interpreter. Every foreign elector had to pass these men. They were threatened with conscription. The mounted policeman stood there with his side arms and threatened them with conscription if they voted for me. Young threatened them with the withdrawal of their patents if they voted for me, and the interpreter did the interpreting for them. I do not think it is at all necessary to have the service loaded down with these homestead inspectors when they have so much time on their hands that they can indulge in personal canvass on behalf of the Liberal candidates. I drew this to the notice of the minister last year. First I brought it to the notice of the Commissioner of Immigration, who said it was not right. I told him the man was engaged in a personal canvas and he said he would notify him to stop. I brought it up in the House and the then Minister of the Interior (Mr. Sifton) promised to issue instructions which would apply to all other officials of the government. I do not know if the instructions ever reached the man, but they had no effect on him, because he was engaged in a personal canvass, as was pointed out here in a previous discussion, within a month he was arrested on a charge sworn out by a Galician, of bribing him with $300. He was engaged in my district on a Sabbath day with $700 in his pocket going around bribing the foreign electors. I think it is simply disgraceful that a party that made such loud professions in a pharisaical manner when in opposition against the civil service taking part in elections should have loaded up the service as it is doing by appointing new officials when the officials already employed have not sufficient work to keep them engaged but are engaged as organizers on behalf of the Liberal party, something so well known in that country that it has become a public scandal.

Mr. FOSTER. I would like to put this matter to the Minister of the Interior who has heard the statement made by a member of this House. I myself have no doubt as to that statement being perfectly true. What is the position of the Minister of the Interior with reference to this matter? Is he going to make appointments to offices and pay the officials out of the public money and then allow them to leave their duties and undertake such duties as have been explained to us to-night? He is a new minister coming in and we would like to have him state his policy with reference to that matter for if he is going to do that he will have to justify something which I think as a member in opposition he would have taken very strong ground against, and if it is right in one case it is right in another. What has been said is cause sufficient why the minister should be asked to state his policy with reference to his employees.

Mr. OLIVER. With regard to the vote before the committee I can only say that I am not personally familiar with the conditions in the eastern part of the Territories and Manitoba and have not been in control of the department long enough to have knowledge of the circumstances. I can speak however with some authority for the western part of the country and I can assure the committee that the increase of requirements in regard to homestead inspectors in that part of the country has been very great and has not been more than met or perhaps has not yet been fully met by the appointments which have been made.

Since taking office recently, I have been very strongly appealed to for the appointment of still more homestead inspectors on the ground that there was great delay in securing the proper operation of the Lands Act in certain sections of the country, because of the impossibility of getting inspections made as promptly as they should be made. I do not know that it would be to the point to read the committee an essay upon the duties of the homestead inspector or upon the length of time required to cover a comparatively limited area of country where the conditions are such as to require a number of inspections either for cancellation or patent. The Northwest Territories is a very large country, and settlers have of recent years been going into practically every part. So the increase of the duties of homestead inspectors and of the area to be covered has been very great. The homestead inspector's duties are possibly the most important duties of any officers of the government in connection with the settlement of people on the land. It is upon the inspection made by the homestead inspector that all the duties between the government and the settler, as well as the absolute rights of the settler, are decided. Now, the time required for the duties of the homestead inspector cannot be judged simply by the number of inspections that he makes. Because if a settler has seen fit to go out from settlement a hundred miles or more, has put in his three years and proved up his homestead, he has a right to demand that the

inspection of that homestead shall be made and that the patent shall issue to him ; and, until that inspection is made, the patent cannot issue. In such a case, the inspection of the homestead would involve a drive of 200 miles on the part of the homestead inspector. Of course, I am speaking of an extreme case, but it illustrates the point I make, that the number of inspections does not necessarily show the work done by the inspector. The number of inspections for patent may be demanded at once, and if the inspection is delayed—as it may be—from month to month, perhaps for a period of six months, the settler has great reason to complain of hardship ; and does complain accordingly. So, while I have no criticism to offer to either of the objections that have been made by the hon. member for Marquette (Mr. W. J. Roche) and the hon. member for North Toronto (Mr. Foster) as to the alleged actions of certain homestead inspectors ; and while I have nothing to say in defence of such actions if the allegations are correct, I still maintain that, to the best of my knowledge and belief, speaking from my personal knowledge as well as what I have learned in the department, the increase of homestead inspectors is absolutely justified by the department ; and on that I ask the House to vote the item. As to the policy of the department in connection with these officials, I have had occasion to say here before, and I take the opportunity of saying again, that while it is not the business, or the right, or even the privilege, of the government or any department of the government to interfere with the right of the citizen to exercise his franchise or to perform his duties as a citizen ; on the other hand, I think it will be the view of the department that the best service that an officer can give to the department and to his political party, as well as to the country, is to attend carefully and well to the duties assigned to him.

Mr. FOSTER. I should not expect anything else than that the minister would say that the best thing an officer could do would be to attend to his duties. I think we can all agree to that. But when the minister is asking us to vote salaries to his officers, and when we ask him whether these officers shall be kept at their work, or whether they shall be free to leave that work and engage in electioneering in the way reported here by my hon. friend from Marquette (Mr. W. J. Roche), does not the minister (Mr. Oliver) think that he should give us an answer ? We are not voting $2,200 to Mr. Leach, for instance, that he may go electioneering. We vote that money that he may do homestead inspection. The minister himself has given the very best reason why this should be insisted upon. He is calling here for $42,000 worth of more men. He says the homestead inspector's business is very important. Well, are not these all the greater reasons why these homestead inspectors should attend to their work? Mighty tender is the government as to interfering with the citizen's right to vote ; but not so tender in the cases of the hundreds and hundreds of Conservative office holders who have been dismissed simply because they had the temerity to vote, because they stood upon a platform, because they went to Conservative meetings and listened to a Conservative speaker. There is no tenderness for these, but we are called upon to deal very tenderly with the homestead inspector, even though he makes it his duty to go out and work for days and weeks against the Liberal-Conservative candidate in an election, threatening voters and all that kind of thing. We are not paying the salaries to these men to do party work. Will not the minister agree with that ? We are paying salaries to these men to do their work in the department. Well, will not the minister say that in such gross cases as these that are brought up the officers shall be required to attend to their official duties and leave electioneering alone ? Cannot the minister make that statement before we are asked to vote the salaries for these men who have been notoriously engaged in this electioneering work ? Shall we pay salaries for that kind of work, or will the minister give us the assurance, as he ought to do, that these men will be kept at their duties and not allowed to attend to electioneering ?

Mr. OLIVER. I am placed in a somewhat difficult position by the manner in which my hon. friend from North Toronto (Mr. Foster) has stated his case. If I make the statement that this is desired, I thereby acknowledge the allegation against the officers of the department over which I have been placed. If I do not accept the statement made, I am contravening the rules of parliament. Now, I do not want to do one or the other. I do not wish to accept the accusation of improper conduct made against officers of the department over which, for the moment, I preside, without giving those officers an opportunity to be heard. Therefore, I do not wish to make such a declaration as the hon. member wishes me to make. I am bound to accept the statement made by the hon. member for Marquette (Mr. W. J. Roche), and it is not my privilege to question that statement.

Mr. COCHRANE. Will the minister say that he would allow his officers to go around campaigning and electioneering when they ought to be attending to their duties, and will he dismiss them if it can be proved that they have been guilty?

Mr. OLIVER. I cannot pledge myself in fairness to turn out an officer of the department on the accusation that he has been guilty of certain actions.

Mr. W. J. ROCHE. I will make the offer to the Minister of the Interior that I made last session to his predecessor, but

which he did not see fit to accept. I have in my desk affidavits to prove every assertion I have made here to-night, that these very officials were actively engaged in canvassing prior to polling day and on polling day. The hon. gentleman need not fear that I am going to ask him to take my word for it, because I have affidavits from six or eight men to prove the very accusation I made here to-night against these officials.

Mr. OLIVER. Of course I cannot undertake to administer this department retroactively, I have trouble enough to administer it presently and prospectively. I have stated to the committee, and now repeat, that the policy of the department will be that officials of the government shall attend to the business for which they are paid, and in doing so I think they will best serve the government, the party and the country. But I cannot lay down the principle that because they are employed by the government they shall be deprived of their rights as private citizens. I cannot go further than that.

Mr. FOSTER. That is not going any distance at all. Suppose we take the collector of customs in the city of Toronto, suppose that in the late elections that gentleman had left his office and, during the month that these elections were on, had gone on platforms up and down the streets canvassing, trying to get votes, trying to intimidate votes, do you suppose there would be any justification for that? But he would be able to do all that in the exercise of his rights as a private citizen. All the pledge the minister will give us is that so long as he administers his department he will see that officials shall do their work, but he will not deprive them of any right that a private citizen has. That means that these men can be set to work electioneering, and he will not interfere with them. Here is one of his officers who did everything an officer should not do, and there is one of his colleagues in this House, a brother member, who says that he will prove it if he is allowed an opportunity. Now what will the minister do with those men?

Mr. OLIVER. I have stated what I consider to be the best policy for the government to pursue. To ask me to condemn officials of the department in advance is something that I do not think he should ask me to do. He expects me to give judgment as to what shall be done by me on a future occasion which has not yet arisen, and in regard to circumstances of which at present I have no knowledge.

Mr. FOSTER. The minister is not asked to do that at all. He is simply asked whether he will assure the House, when he asks them to vote money for a public servant, that that public servant shall busy himself about his own work and shall not actively interfere in elections. There is only one answer, will the minister give that answer?

Mr. OLIVER. There is more than one answer, because there must necessarily be a difference of opinion as to what constitutes this objectionable activity on the part of any person in the exercise of his rights as a private citizen. I have said already, and I say again, that it is not the part of the head of a department, or of any other man, to restrict improperly the rights of citizenship. As to just where the rights of citizenship end and the duties of the official begin, that must always remain to some extent a matter of opinion and argument.

Mr. FOSTER. What is your opinion?

Mr. OLIVER. I will always be ready to give my opinion on a case when it arises, but nobody should ask me in reason for an opinion, in regard to a case that has not arisen.

Mr. FOSTER. Suppose we should say when you were asking us for money that we will wait until we are satisfied in reference to that special instance before we vote the money. We have as good a right to our position in that respect as the hon. minister has. The hon. minister has an idea that this is all his own business, that it is not the country's business; that it is all the party's business and that it is not the general business of the country with which we are engaged. This money comes from the taxpayers of the country. The minister comes and says: I want a certain officer. Parliament has a perfect right to know the duties of that officer. He says: I want a certain amount to pay that officer. We have a perfect right to discuss it and we can pass it or not as we think proper. Before we give our sanction to the appointment of this officer we have a perfect right to know what his duties are to be. Then, a simple question I would ask is, whether, if we give a vote for a homestead inspector, the minister's policy is to keep him at work on the country's business or whether he is going to allow him, when a canvass takes place by candidates for members of parliament, to take an active part in that canvass against one of those candidates. As the ones who hold the money we have a perfect right to an answer from my hon. friend. It is the country's business and not any individual's business.

Mr. OLIVER. I am quite at one when the hon. gentleman says that it is the country's business. I do not know from what utterance or action of mine he gathers the idea that I consider it my business, or that I am undertaking to handle the country's

money without the country's will being expressed. I am here in my place asking the vote of the House for these items subject to the rejection of the items and the condemnation of myself by the House for having placed them before it. That surely is not ignoring the opinion or will of the House or wish of the country. In regard to the right of the House to say that a man shall not be appointed, or that his salary shall not be voted, or that the House is not satisfied in regard to what his duties shall be, I have done my best to inform the committee as to what the duties of these gentlemen shall be or what they will be expected to do and I have already pointed out that the requirements of the case are such that, to the best of my belief, we need all the men for whom we have asked salaries in the interest of the settlement of the country and of the satisfaction of the settler. If that position is not satisfactory, if that is a matter of argument, of course, it is for our friends to take the opposite side and to do in this case as in the case for the vote of the detention hospital at Victoria, take the position that the amount shall not go through or that it shall be dropped. But, having given the full information that I have given in regard to these men, in regard to their salaries and in regard to their duties, then, as my hon. friends have talked very plainly, it is of course necessary that I should talk as plainly to them, and they must take the responsibility before the country of refusing to give that money which is necessary to the public service to secure the satisfaction of the settlers upon their homesteads.

Mr. ARMSTRONG. If I understand the argument aright it is that we are merely asking the hon. minister whether he believes that people holding public positions are justified in going about and taking an active part in politics or whether he is prepared to pay them for their services if they do so.

Mr. LAKE. I think that no one on this side of the House has any idea of interfering with the rights of any private citizens in the country. What we object to is that a man who has special authority and special standing conferred upon him by virtue of his official position, an official position that is paid for by the people of the country, should use that authority and that standing in the interest of one party or the other. We wish the hon. minister to say, whether, if at some time in the future it is proved that an official is using his position in the interest of one party or the other, he will dismiss him.

Mr. OLIVER. I will say, as I have said before, that I will have to take each case as it comes, and that I will have to give judgment on the question as it exists or as it arises. I absolutely cannot in justice to the officials of the department, or in accordance with justice, tell the committee beforehand what judgment shall be given in regard to a case that may arise in the future.

Mr. W. J. ROCHE. The hon. Minister of the Interior is very much more delicate about telling us what he will do under such circumstances than his own leader was. I am sorry that the right hon. leader of the government (Sir Wilfrid Laurier) is not here to-night for I will give him the credit of having given a straight cut answer as to the policy of the government in regard to officers interfering in elections. He did lay down a definite statement of the rule that he said would guide himself and his colleagues in dealing with these officers. He did not talk all around the question or quibble or try to evade a straight cut question put to him, but he did give an answer as to what he would do. I will have to admit that the policy which he laid down on more than one occasion has been sadly departed from, but at any rate, when he was asked the question, he gave a straightforward answer. He did not say: I will see what will be done, I will investigate and give my judgment accordingly, or talk about the exercise of citizenship and a whole lot of nonsense such as we have heard from the hon. Minister of the Interior to-night. The right hon. gentleman told us that he would consider it as an act of partisanship on the part of any officer of the government to take an active part in politics. He said that any official would be allowed perfect freedom to go and exercise his franchise by voting for the candidate of his choice, but that was the limit which the government would allow. Further than that if he indulged in canvassing, or if he was seen on a political platform, or if he was in any way engaged as an active political partisan, the right hon. leader of the government said that he would have an opportunity of devoting his whole time in the future to politics by being dismissed from the service. That was the policy of the hon. gentleman's leader. Cannot the hon. gentleman give just as straightforward a reply as that? We are not asking that any official be decapitated; all we are asking is to be allowed an opportunity of proving our case and if we can bring sufficient evidence to convince the hon. minister that his officials have been partisans, will the hon. gentleman say that he will allow those men to devote their whole time in future to politics by dismissing them from the service? The hon. gentleman knows what a wonderful influence land and homestead agents and other officials have over these new arrivals in the country. He knows that a great many of these people are unacquainted with our laws and institutions, and that until they have been in the country for several years they will be afraid of intimidation on the part of

these officials. I think it is only reasonable for the opposition to insist, when a whole host of new inspectors are being appointed, that these men shall not be permitted to engage in the same kind of political work as that in which their predecessors have engaged instead of devoting their time to the service of the country for which they are paid.

Mr. LAKE. I commend to the Minister of the Interior, the language of the Prime Minister uttered in the House on 1st September, 1896 and reported in 'Hansard' page 505. The right hon. gentleman said:

I have no hesitation in saying at this time that if an officer in the service chooses to be a politician, he shall be given every opportunity by the government of being a politician. What is the cause of the abominable practice that has been stigmatized in the States that to the victor belong the spoils? Why was it that after every presidential election attended by a change of parties in power, the whole civil service was cleared off, the whole body of servants of the government were forced to resign or be dismissed? The reason is obvious, the reason is that every officer under the American system was an active politician, and being an active politician it was quite natural that when the opposite party came into power the man who had been an active politician could not be a trusted servant of the government whom he had opposed. Now when we find an officer in the civil service, however good a servant he may have been, however faithfully he may have discharged his duties, but who has been an active politician, who has taken part in the elections offensively and actively, and before the eyes of the whole community that official has become a scandal in the eyes of the community, and I have no hesitation in saying he cannot be trusted to render faithful service to this government. When there is a government officer he may hold his opinions, I don't care what they are, they may be Liberal or Conservative. I do not care, but when he is seen on a political platform, when he is actively or offensively prominent as regards party candidates, that man has taken his life in his hands, and no one can have a word to say if he is dismissed from the service.

On the 15th May, 1903 ('Hansard' page 3200) the Prime Minister also said:

Again take the case of Mr. Jonasson. Mr. Jonasson, I understand, is one of our officers. I do not know in what capacity, but he is in the pay of the government. He ought not to take any part in any politics. I say deliberately that for my part I feel as strongly now in 1903 as I did in 1896 that when a man has taken a position in the civil service, he should take no part whatever in politics. He becomes an officer of the public, receiving the pay of all parties, he owes his services alone to the position which he occupies. If he wants to vote, let him vote, but let him exercise his franchise in a way that will not be offensive to anybody.

Will the Minister of the Interior endorse the position taken by his leader, and say that his future action will be governed by those views?

Mr. W. J. ROCHE.

Mr. OLIVER. The position taken by the Prime Minister is a very proper one.

Mr. FOSTER. The Prime Minister will be glad to have that endorsement.

Mr. OLIVER. It is worthy of endorsement, but I cannot give a decision until I have heard both sides, and it would be unfair and unjust to deal with an official simply on the accusation of a member belonging to an opposite party and without investigation. I do not think I could administer the department effectually or satisfactorily if I were to do that. I am sure that if my hon. friends opposite and I were outside the House they would permit me to take some of their accusations with a grain of salt. In view of certain actions of the Conservative party in the last elections I fear their denunciation is not quite sincere. I have a distinct recollection that during the contest last November a gentleman blew in on the train to Edmonton, magnificent in regalia with clerical robes of the most pronounced type, arrayed in purple and linen and with a follower to act at his beck and nod. He spoke Russian, announced himself as a priest of the Russian church, and he came to convert the Russian settlers of my district to the Conservative faith.

Mr. BENNETT. Was he a government employee?

Mr. OLIVER. No.

Mr. BENNETT. Where is the point then?

Mr. OLIVER. Well, he stated that he came at the request of the hon. member for Marquette (Mr. Roche) amongst others, and that he carried in his pocket some $300 of good Conservative money.

Mr. W. J. ROCHE. If the minister and I were outside this House he doubtless would allow me to characterize that statement by saying that I would like to take it with something more than a grain of salt. I never met any official of the Russian church, I never conversed with any official of the Russian church, and if any person made such a statement to the Minister of the Interior, he made it out of whole cloth and it is absolutely foundationless.

Mr. OLIVER. I would suggest that if this story must be taken with a grain of salt, the accusations against government officials in the last elections must be taken with two or three grains of salt.

Mr. BARKER. Does the minister say that he knows his story to be true?

Mr. OLIVER. It is true as I told it.

Mr. BARKER. Do you know it to be true?

Mr. OLIVER. I am told what occurred. There was a large amount of interesting literature circulating amongst our Russian friends, printed in the Russian language, and that literature contained certain remarkable promises to the effect that if the Russian electors voted for the Conservative party and if that party were successful it would give them new farms in case they settled on bad ones, and build schools and churches for them. I noticed that one of the names appended to this remarkable circular was that of W. J. Roche of Marquette.

Mr. TAYLOR. It is evident that the Minister of the Interior is trying to obstruct his own estimates and I therefore move that the committee rise, report progress and ask leave to sit again.

Mr. FIELDING. We have been having a very pleasant evening and I did not think my hon. friend would get tired of the battle so soon.

Mr. TAYLOR. The heat in the chamber is intense, and while the opposition are willing to pass the estimates to-night the minister is obstructing.

Mr. FIELDING. If the opposition is willing to pass the estimates they disguise their purpose very well.

Mr. TAYLOR. That is not so. This side of the House is not chargeable with the obstruction, but the minister has been obstructing his own business for the last half hour, instead of saying, like the Prime Minister, that an official who is paid by the people must attend to the duties for which he is paid.

Mr. FIELDING. I do not rise to participate in the debate, but to suggest to my hon. friend that if we have been wasting time we had better now proceed to business.

Mr. FOSTER. I agree absolutely with the Minister of Finance, that we should proceed now to business. All would have been passed an hour ago if the Minister of the Interior straightly answered this simple question: Is it the policy of your department that these men shall do their work, and not engage in political canvassing? The minister has not answered that yet. He will not say that that is the policy of his department. So long as he takes that position, he cannot expect to get his estimates through. Now, what are the facts of the case? The facts are that the employees of the Minister of the Interior in Manitoba and the Northwest, nine out of ten of them, during the last Dominion elections were nothing more nor less than electioneering agents. That we all know, and when the facts are brought home, by affidavits and otherwise what is the use of the minister shutting his eyes to them? What we wanted to do was to bring about a better state of things under the new minister, and we thought he would gladly say that he would see that the officers did the work for which they were paid. He will not say that, but he excuses them—for what reason? Because elections are soon to be held in the new provinces, and I venture to say that the same things will be done there unless the minister interferes. What Sir Wilfrid Laurier said was that public servants might do their voting and hold their political opinions as strongly as they liked, but they had to keep out of the political canvass, or he would let them stay there. All we wanted was that the minister should say that his policy in this respect would conform with the statement of the Prime Minister. Such was not the position of the late Minister of the Interior. He knew no scruples in that respect. His men in office were his creatures; he authorized and incited them to do everything men could do in order that the Liberal party should be advanced and the Conservative party retarded. They engaged in active political work of every description. Are we going to continue that sort of thing? I for my part say that we are not, and the minister will have immense trouble in getting his estimates through if he takes the ground that his officers need not attend to the duties for which they are paid, but may engage actively in political contests. Take the case of this man Leach. He was an organizer and heeler of the Liberal party in Manitoba; he is now under prosecution for a disreputable piece of business. If the accusation is proved, his qualification for the office is that he did good political work for the party in Manitoba at the last election. Part of this vote, I suppose, is to pay Mr. Nixon. Who is he? He was a defaulter who stole the public money. He has been convicted of it by this very man Leach, although an attempt was made to throw the blame on a boy. Mr. Leach and Mr. Nixon are both to be paid out of this vote, and who are they? Active political workers. These are the kind of men who are given appointments as rewards for political services, and the four men who were mentioned by the hon. member for Marquette are active political partisans who have worked as hard as political partisans could leaving their duties for which they are paid out of the public money while doing that political work. Surely the minister does not at this stage justify a proceeding of that kind. Surely if he wants to get his votes through, he can say that his policy in that respect will be in accordance with that of his leader. That would let the whole vote go through so far as that phase is concerned.

Mr. OLIVER. If the hon. gentleman is willing to let the vote go through, we will let it go; but I wish to clear his mind on one point. He has used certain language in regard to Mr. Leach, who is

now a homestead inspector. I have never met Mr. Leach and do not know him at all ; but I want to say here and now that the fact that Mr. Leach or any other man has been an active supporter of the Liberal party is not going to debar him from employment in the Interior Department so long as I am the head of that department.

Mr. HERRON. If the hon. minister finds it difficult to draw the line between the political work of a partisan and his work as an official of the government, I can draw his attention to one government official in his own district, whose name has been mentioned in the last few moments, I declare most specifically that that man has been engaged in politics purely and simply for the greater portion of his time, during the last five or six years. That was Mr. Nixon Macleod, and further than that he stood in the poll and challenged voters from morning until night on election day. He travelled around canvassing, and he has done so for months. Before the last election he resigned or took leave of absence. He was travelling in the country a month or so before the elections and gave people to understand that he had left the employment of the government, but he was back in the office immediately after the election.

Mr. LAKE. I suppose we are to understand that the minister practically refuses to give any assurance that he will prevent these officials from using their position for political work. I wish to ask his policy in regard to these lands which are occasionally sold to settlers as a second homestead subject to cultivation conditions. He brought down a return the other day showing 250 or more persons to whom lands had been sold at prices varying from $1 to $3. I notice that only two sales apparently had been made during the present year and I would like to know whether these sales are to continue and upon what system he means to make them.

Mr. OLIVER. I am not sufficiently familiar with the working of the department to give as full an answer as might be desirable, but I understand that sales are made only in special circumstances, some of such circumstances being where there is a fraction of a quarter adjoining a homestead, that is a quarter section may be broken by a lake or by a break in the survey or by a river or for some other reason, and inasmuch as it is less than a quarter section it is not liable to be taken as a homestead, not being of sufficient acreage. In such a case I understand it is frequently considered a proper policy to sell that fraction to an adjoining homesteader. Another case is where a homesteader who has practically completed his residence and other conditions is not, owing to a death in the family or some other reason, able to absolutely complete them. In such a case the land has been sold to him at a price proportionate to the amount of time he should properly spend to complete his conditions. Then sometimes when a man has exhausted his homestead rights and cannot get an entry on homestead land we may find him when the survey comes along squatted or settled on unsurveyed land. He has no right to that as a homestead, we do not like to eject him from it, if it is in occupation, and on the completion of residence conditions we sell it to him at a dollar an acre or such other price as is thought suitable.

Mr. LAKE. I do not think any of these three classes of cases comes within the scope of my inquiry. The return brought down shows an entirely different class of cases and in order to point to the exact case I refer to I shall give the answer of the Prime Minister to a question I asked him in the House. I asked :

1. When did Henry Entenier enter for his first homestead ?

2. Has Mr. Entenier entered for a second homestead, or obtained from the govenment any land since that time ? If so, what is its location, at what price, and under what conditions did he receive it ?

To this the Prime Minister replied :

Right Hon. Sir WILFRID LAURIER (Prime Minister) :

1. On May 31, 1893.

2. Mr. Entenier has not entered for a second homestead. Upon report of homestead inspector that only a portion of the land in their homesteads was cultivable in consequence of early frosts, caused by the lowness of the land, and because of hail in some years, settlers in the Kroneau district (of which Mr. Entenier is one) were allowed to purchase each an additional quarter section, subject to ordinary cultivation conditions. He bought the SE. quarter section 14, township 15, range 17, west of the 2nd meridian, at the regulation price of $3 per acre, payable one-fourth at time of purchase, the balance in three annual instalments, with interest on any unpaid balance at five per cent per annum.

I do not find Mr. Entenier's name on this return; it possibly has been omitted through error. I have information to the effect that land in the locality of Kroneau, this very land, is worth $13 an acre and that sales have taken place in that neighbourhood at that or a higher figure, but that a number of these special privileges were given to people in that neighbourhood. It will be readily understood that this places a great deal of power in the hands of a homestead inspector for his report alone is necessary to make a very large grant, practically a bonus of money to individual settlers, and I think it is a power that should be exercised with the greatest care. I want an assurance from the minister that he will exercise the greatest care in dealing with this particular question and I want really to know his future policy with re-

gard to it. It is difficult to see why one man should receive his land in such cases for $1 an acre and a second for $3, but I suppose reasons may be given for it. I would like to know whether the minister intends to continue that system.

Mr. OLIVER. The case or cases mentioned by the hon. member are of a class included in the classes to which I referred, although I did not mention that particular class. Of course it is on report of the homestead inspector that the homestead is of absolutely inferior quality that a homesteader is given permission to purchase an adjoining quarter to make up a farm, which is the purpose of the department in arranging with settlers. The statement made by the hon. member (Mr. Lake) that the land in this district is of a higher value than has been represented to the department is worth considering, and certainly it is not the policy of the department to grant lands of a superior character at the inferior prices. Although the occasion arises because of the character of the original homestead rather than of the character of the adjoining land that is purchased. So far the government has not placed the price higher than $3 per acre. If the original homesteader has a poor homestead—that is one not suitable as a farm—and wishes to purchase an adjoining quarter-section which is good land, the government would be inclined to sell at $3 per acre.

Mr. LAKE. That would be limited to the adjoining quarter-section ?

Mr. OLIVER. Not necessarily, but to an adjacent quarter-section. But the privilege —it is not a right—would be granted much more readily regarding an adjoining quarter-section than an adjacent one.

Mr. LAKE. If that were generally allowed, there would be many applications from men who took up their homesteads in a hurry and now find their land of inferior quality. It is a pretty dangerous thing, after a man has obtained the patent to his homestead, to give him an entry for an additional homestead. I can conceive of cases where it would be a good thing to relieve a man of his first homestead and let him go off and take another where the land was of better quality. But to allow him first to obtain his patent on his homestead and then to go a short distance away and take a new homestead—that would need to be allowed with the greatest caution. In fact, I should be inclined to doubt that it ought to be allowed at all. I would like to ask the minister if the Canadian Pacific Railway patents have all been taken out yet ?

Mr. OLIVER. Not all.

Mr. LAKE. How long is it likely to be before they are all out ? Because there is the question of the exemption from taxation.

Mr. OLIVER. I am given to understand that the patents are practically all issued for whatever lands have been chosen by the Canadian Pacific Railway that have been surveyed. But they have selected some areas where the lands are not surveyed, and, of course, the patents cannot be issued until survey has taken place.

Mr. LAKE. I hope the minister will see to it that early survey takes place wherever the Canadian Pacific Railway has selected lands, for he must bear in mind that, if the present interpretation of the law carries, there will be twenty years' exemption dating from the issue of the patents.

Mr. OLIVER. The company has made their selections and, of course, it will be the business of the department to see to it that surveys are made as the hon. gentleman (Mr. Lake) suggests.

Mr. LAKE. There is another question which I wish to bring to the attention of the minister. Statements have been made in the Northwest Territories that a number of bogus entries have been made for land and that these lands have found their way into the possession of land companies, which is a hindrance to settlement. I have here an extract from the Grenfell 'Sun,' of May 19th last, as follows :

> Mr. Stevenson, Dominion lands agent, has been inspecting the land offices in Eastern Assiniboia. He states that large numbers of settlers are going into the southeastern portion of the Territory, and scores of applications for homesteads are being made. He found that many homesteads are controlled by land companies, who applied for them under fictitious names and paid the entry fees. As an inducement to settlers to buy lands purchased from the railway company, they guarantee to get them the free homestead. When sales are effected on these conditions the companies make an abandonment of the homesteads selected, and their clients then make entry for them. The department will take action to have the homesteads now held in this way released by refusing to grant extension when the time for completing expires.

I do not know whether any report on the subject has been made by Mr. Stevenson, but I am quite convinced that there have been cases of this sort—in fact, I think I may say that there are some within my personal knowledge—in which men were able to go to a land company and buy lands from them, getting them at a specially low figure on condition that the land company would obtain from them the right to make a homestead.

Mr. OLIVER. I have no knowledge at the moment of the condition referred to by the hon. member for Qu'Appelle (Mr. Lake). Of course, it is an objectionable position ; and, after the statement has been made, it would be necessary to make a very careful inquiry into the matter. Of course, there

is considerable room for such a condition arising because of the desire of the department to show every leniency to the settler to give him a reasonable extension of time in the fulfilment of his homestead duties. Of course, this is only with a view to encouraging the actual settler. Still a company might, by careful manipulation, secure to itself advantage which is supposed to be given only to actual homesteaders.

Mr. LAKE. There is still another question I wish to bring up. I wish to get some idea from the minister as to a class of cases concerning one of which I have had a large number of papers placed in my hands. It was a case in which a widow had applied for a homestead entry which was granted her. I understand that under the law the minister may decide under the special circumstances of such cases, whether he considers the woman applying is the sole head of a family or not. In this particular case, I understand, the woman was a widow, but had no family. I know another case where a widow has been refused a homestead entry. I would like to know in what way the minister decides these cases.

Mr. OLIVER. The rule is that the department requires the applicant to make affidavit that she has minor children dependent upon her before she is entitled to a homestead entry. And if the woman to whom the hon. gentleman refers has made a homestead entry, the supposition is either that she has made an improper declaration or that my hon. friend is not fully aware of the extent of her family.

Mr. LAKE. There are a large number of papers in this case, which is that of James Moore. He married a widow who had obtained entry as being the head of a family. But he produces evidence to show that she had no family when the entry was granted. It seems to be a case where the parties have fallen out, and he objects to her getting the homestead. Does the minister know of this case at all ?

Mr. OLIVER. No, I have not heard of it.

Mr. LAKE. Then I understand that the minister makes it a definite rule that a woman cannot be granted a homestead unless she is a widow with children, that is a rule of the department ?

Mr. OLIVER. It is a rule of the department, so I am informed.

Mr. FOSTER. Is that based on the law ? In the United States I know there are quite a large number of women who are regular farmers. Now if a woman wants to take up a homestead and farm, surely the minister will not debar her from doing that.

Mr. OLIVER. The department does not recognize the right of a woman to take up homesteads except in this exceptional case. In the United States I think they permit an adult female to homestead as well as a male.

Mr. HERRON. I would like to know if the minister intends to reopen the land office at Macleod ?

Mr. OLIVER. I issued instructions the other day to have that subagency reopened.

Mr. FOSTER. What salary does Neil G. McCallum receive ?

Mr. OLIVER. $1,500.

Mr. FOSTER. And S. G. McKee ?

Mr. OLIVER. He is not a homestead inspector. He was employed temporarily in the Yorkton office, but he is not employed there now.

Mr. FOSTER. I move that the item presently under discussion, $34,000, be reduced by $2,700, the salaries of Thomas Young and Neil G. McCallum ; it having been proved here to-night that these gentlemen prostituted their position, left their duties, and undertook the work of public canvass in the most offensive and partisan way during the last election ; and that we cannot get from the minister a statement as to whether that policy is to be pursued. This is the only way we can protest against it.

Mr. OLIVER. I did not know there was any accusation against McCallum.

Amendment negatived; yeas, 17; nays, 39.

Mr. FOSTER. It is now twelve o'clock and we have to resume to-morrow morning at eleven, and a committee at ten. I think we ought not to sit any longer.

Mr. FIELDING. We have made so little progress—I am not attempting to distribute the blame anywhere—but I think we might now sit for an hour and dispose of some work.

Mr. OSLER. Under the circumstances, when $14,000,000 in appropriations are brought down at this time of the session, we should be given time to discuss them at least to some extent. So far I think the time has been well spent, we have passed very large sums already. We have shown to-night that these appointments resulted in partisan interference in the last elections to an extent that is simply appalling. We have the Minister of the Interior distinctly refusing to give any pledge that this sort of business will cease in the future. He is distinctly telling the officials of the government that hereafter the harder they work for the party the greater their reward will be. If he stated it as plainly as I have stated it, he could

not state it more plainly than by his absolute refusal to disclaim any responsibility. We have had these estimates thrown down our throats at this time, and I do not think it is fair at midnight to force any more of them through the House.

Mr. A. JOHNSTON. I do not think that members on this side of the House who have sat here from night to night for six months, are in a position to receive lectures of this kind from the hon. member for West Toronto (Mr. Osler). He may be fresh and prepared to sit here for a long time; but those of us who have made it our duty to be here almost every night since the beginning of the session are not disposed to take the advice of the hon. gentleman.

Mr. CAMPBELL. When the hon. member for North Toronto (Mr. Foster) was Finance Minister for a great many years, you will find, if you go through the records of those eighteen years, that in the last days of the session they brought down a great many supplementary estimates. It has been the rule of every government that ever was in Canada, and he is not in a position now to lecture this House or the government on account of bringing down the supplementary estimates. They have been on the table now for over a week, a great many of them are revotes or votes to finish work already started. There are scarcely any new works provided for in these $13,000,000 that are not perfectly defensible and there is no reason why the House should lose this whole evening because of the little tu-penny ha'penny criticisms that hon. members on the other side of the House have indulged in. These hon. gentlemen have kept the House and the session for over six months, they have been fooling away the time and their own newspapers, the Toronto 'World' and the Montreal 'Gazette,' have denounced their course. Now the hon. member for West Toronto after all this, after he has been away for two or three weeks——

An hon. MEMBER. Months.

Mr. CAMPBELL. And when he has not spent one-half of the time here, lectures the House. I think it is a downright shame.

Mr. TAYLOR. The opposition are not as numerous as the members supporting the government, but they are not prepared to take abuse.

Mr. CAMPBELL. Well, do not give abuse.

Mr. TAYLOR. The two hon. members who last spoke have been indulging in abuse of my hon. friend from West Toronto (Mr. Osler). Even the hon. member for Centre York (Mr. Campbell) charges the opposition with having kept the House here for six months.

Mr. CAMPBELL. Yes.

Mr. TAYLOR. I make the statement that if any hon. gentleman will take up 'Hansard' he will find that two-thirds of the time have been occupied by hon. gentlemen supporting the government and not by the opposition. It is the duty of the opposition to criticise the actions of the government and we are not going to be lectured. We are prepared to stay here for another six months.

Mr. CAMPBELL. So are we.

Mr. TAYLOR. At the same time we are prepared to facilitate the closing of the session, but if we are going to be abused by hon. gentlemen like the two hon. gentlemen who have just spoken that is not going to facilitate the closing of the session. The government might as well understand it now. If they cannot control their supporters and keep them from abusing my hon. friend from West Toronto they must take the consequences. My hon. friend has been away for a couple of weeks but that is no more than is the right of any hon. gentleman if it suits him to go away. But, while he is here he has a perfect right to make any statement that suits him and he has a perfect right to say that the government has no right to bring down these supplementary estimates at this period of the session, a thing which was never done by the government of which my hon. friend from North Toronto (Mr. Foster) was a member.

Mr. CAMPBELL. Look back in the 'Hansard' and you will find that that was the case every year.

Mr. TAYLOR. The hon. gentleman may contradict me after I take my seat but I do not want him to interrupt me now. You can look through the records of 'Hansard' and you cannot find that when my hon. friend from North Toronto was Finance Minister, he ever came down with a half of $13,000,000 of supplementary estimates. Every government has to come down with a small amount of supplementary estimates, but in the time of my hon. friend parliament was never confronted in the last days of the session with $13,000,000 which is something unprecedented in the history of this parliament. Yet, because hon. gentlemen on this side of the House have attempted to raise their protest at twelve o'clock at night with the temperature at eighty and having to meet again in the morning, and have said it is time to quit, they are to be insulted by hon. members supporting the government.

Mr. CAMPBELL. We do not want to insult any one on that side but we do not propose to take any insults either. We have been sitting all evening here not saying a word and listening to the abuse and vilification that have been indulged in by the hon. member for West Hastings (Mr. Por-

ter). We could have replied, but we did not want to prolong the session, to his abuse of the Ross government and to his charges about switching and stuffing ballots. If there ever was a party in this country that ought to be ashamed to mention stuffing ballots it is the party opposite that sent Chamberlain up to the Northwest. The hon. member for Marquette (Mr. Roche) and all the other members from the Northwest are familiar with the facts in connection with sending Chamberlain up there to instruct them how to stuff ballots and to switch ballots. We know that they have been doing the same thing all over the Dominion. The last time they held an election, in 1896, they had their agents all over the country instructing their friends how to stuff and to switch ballots. Yet, we have sat here all this evening listening to hon. gentlemen opposite and then the hon. member for Leeds (Mr. Taylor) gets up and says they are not going to be insulted. Mr. Taylor, you can bear this in mind——

Some hon. MEMBERS. Order, order.

Mr. CAMPBELL—that we can sit here just as long as you can and if you do not wish to be insulted——

Mr. FOSTER. Order.

Mr. CAMPBELL. What is the point of order ?

Mr. FOSTER. The point of order is that the hon. gentleman should address the Chair.

Mr. CAMPBELL. I beg your pardon, Mr. Chairman. I would say to the hon. member for Leeds that if he does not wish to be insulted he must not insult this side. We will stand a good deal but we are not going to stand too much from those fellows.

Mr. TAYLOR. The hon. member for Leeds has been a member of this House for 23 years and he has never yet insulted an hon. member either supporting or opposing the government. I think that has been his record, and he never makes a statement that he cannot corroborate. The hon. member for Centre York stated that my hon. friend from West Hastings (Mr. Porter) occupied the whole evening. The hon. gentleman left the House at six o'clock and took the 6.45 p.m. train for home. He only occupied a little while in the afternoon, only a very short time considering the importance of the case with which he dealt. But the whole evening has been spent by the hon. Minister of the Interior obstructing his own estimates and when at 12 o'clock my hon. friend from West Toronto, one of the most respected members on either side of this House, enters his protest hon. members get up and insult him. I think that at this hour we should suspend the sitting, go home, get a little sleep and be ready to proceed with business in the morning.

Mr. FIELDING. I think we had better pass a few items in good temper and then we will consider the question. We have not done much work. I do not say the debate has not been proper, but I think we should before adjourning make a little further progress.

Mr. FOSTER. If we had some other minister to deal with we could make some progress, but we cannot make any progress with the Minister of the Interior.

Mr. FIELDING. Pass his estimates and we will give you the Minister of Railways and Canals.

Mr. FOSTER. He is worse. We may stay here scrapping for another hour, and I think we might as well get some sleep and come back.

Mr. OLIVER. In reply to what the hon. member for West Toronto (Mr. Osler) has said in respect to my position or my statement here I say there is no foundation for having understood me to say what he said I said.

Mr. W. J. ROCHE. What is the policy of the government in reference to odd-numbered sections ?

An hon. MEMBER. Never mind.

An hon. MEMBER. Obstruction.

Mr. OLIVER. At the present time I am not able to announce the policy of the government in regard to odd-numbered sections.

Mr. FOSTER. There you are again ; we cannot get any information.

Mr. OLIVER. It is a very important question that has arisen by reason of the selection of railway lands having been practically completed. The completion has been so recent that the government has not been able to decide upon a policy in regard to the odd-numbered sections, but it will engage our attention just as soon as the parliamentary work is done.

Mr. LAKE. I would like the assurance of the minister that there will be no sales of land en bloc made, or no sales of land to any but the actual settlers.

Mr. OLIVER. There will be no sale of land en bloc to any one and in so far as the interval between now and next session is concerned there will be no sales of land to any one but actual settlers.

Mr. FOSTER. I am very glad to hear that. I wish that the same system had been adhered to years ago. I remember the case of a client of mine in a business way making application about three years ago. He of course was a citizen of this country, not a foreigner and not an outsider in any way, but I made the application of the Department of the Interior to know whe-

ther they would sell any lands at all or not. I received a statement from the Department of the Interior to the effect that it was not the policy of the government to sell lands en bloc, and that that policy would be adhered to. I sent that information to my client and he bought land from other sources paying from $4.75 to $5.50 per acre. But he had not completed his purchase before an immense block of land was sold to the Saskatchewan company composed partly from the United States and partly of persons intimately interested nearer home. That is not fair treatment to the citizens of Canada. Not more than two years ago I made an application for two young men from the province of New Brunswick, who had gone west and trecked for 150 miles and taken up homesteads; I wanted to know from the government whether they would sell adjoining or adjacent quarter sections to these settlers. I was answered that it could not be done, but here in an official return I find hundreds of names, many of them foreigners, in whose favour this very thing has been granted. These two young men from New Brunswick had to pay $6 an acre to the Canadian Pacific Railway to make up the farms they needed while others were able to buy adjacent lands from the government at from $1 to $3 per acre. Why should not the people of Canada get just as good treatment as foreigners? why should not these two young men who went that distance to make homes for themselves in their own country have the same advantage as these foreigners? If there is any rule that the department adheres to, what is it, or, is it a fact that certain influences are brought to bear by which certain people can get land from the government at $2 and $3 an acre while others must go elsewhere and pay from $5 to $6 an acre. It is an injustice.

Mr. OLIVER. The fact that out of the thousands and thousands of homesteads that have been located there have been only the small number of sales given in the return, is proof that sales have been made only under exceptional circumstances. There may have been misrepresentation and misunderstanding, but otherwise the sales have been made only upon such circumstances as every member coming from the Northwest knows, justify the sale. As to the case of the two young men, the principle is that a quarter section each would not be sold to them in addition to the homesteads, because the land available for homesteading in that section of the country would be reduced by that amount, and it is most in the interest of settlement to hold the even-numbered sections for homesteads. If any one wishes to enlarge his area the odd-numbered sections are purchasable. That condition will be changed in the parts of the country where there are no railway land grants, and the railway companies now having made their selections it will be possible for the government to deal with the odd-numbered sections in these areas. I am not able to say what the government will do in the matter, but I have no doubt that the views expressed by the hon. gentleman in regard to the treatment of homesteaders in these areas will probably be met. The transaction with the Saskatchewan Land Company has been so often threshed out in this House that it is unnecessary to repeat the story now. The company acquired railway land granted to a railway company which up to that time refused to take it off the hands of the government as being unfit for settlement. In making that arrangement with the Saskatchewan Land Company the government was able not only to secure the settlement of a considerable area of even-numbered sections, but they also secured an amicable settlement with the railway company which at the time had entered action against the government in connection with their land grant.

Mr. FOSTER. It is now half-past twelve and I must make a protest against proceeding further.

Mr. OLIVER. Well, if the hon. gentleman (Mr. Foster) refuses to let the items pass——

Mr. FIELDING. I won't put it on the ground of the hon. gentleman refusing to let the items pass. I would prefer not recognizing that the hon. gentleman could refuse.

Mr. FOSTER. There is no necessity for putting it in that way, and if I tried I could not refuse.

Some resolutions reported.

FIRST READING.

Bill (No. 198) for the relief of Agnes Hedevig Helga Salusbury Trelawney.—Mr. Campbell.

On motion of Mr. Fielding, House adjourned at 12.25 a.m., Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, July 12, 1905.

The SPEAKER took the Chair at Eleven o'clock.

BILLS PLACED ON ORDERS.

Mr. BICKERDIKE moved:

That owing to the advanced period of the session Bill (No. 149 from the Senate) respecting the South Shore Railway Company and the Quebec Southern Railway Company; and Bill (No. 191) respecting the Joliette and Lake Manuan Colonization Railway Company, be placed on the orders of this day in the Private

Bills for consideration of Committee of the Whole.

Motion agreed to.

CANADIAN FAST MAIL SERVICE.

Hon. H. R. EMMERSON (Minister of Railways and Canals). I may be somewhat out of order, Mr. Speaker, but the House will pardon me on account of the importance of the announcement which I have to make. I have this morning received a telegram stating that the royal mail steamer 'Virginian' was forty miles off Cape Race at half-past eight o'clock, Atlantic standard time.

Some hon. MEMBERS. Hear, hear.

ARBITRATION WITH THE GRAND TRUNK RAILWAY.

Hon. CHAS. FITZPATRICK (Minister of Justice) moved for leave to introduce Bill (No. 199) to amend an Act respecting an arbitration between His Majesty and the Grand Trunk Railway Company of Canada.

Mr. W. F. MACLEAN. Explain.

Mr. FITZPATRICK. Under the Act passed in 1880 for the purchase of the Rivière du Loup branch it was provided that if any difficulties arose between the government and the Grand Trunk Railway they should be referred to arbitration. (Statutes of 1880, chapter 80, clause 29, page 17.) There is a similar provision in the Act passed in 1899, confirming an agreement for the extension of the Intercolonial Railway to Montreal. (Statutes of 1899, chapter 46, page 95.) Arbitrators have been appointed to adjudicate on the differences between the two companies under these two agreements, and an Act passed in 1904 (chapter 16) giving the arbitrators the powers of a superior court to summon witnesses and appoint clerks, and so forth. The Bill I now introduce proposes to amend the Act of 1904, chapter 16, by giving the arbitrators power to make separate awards on the different points of dispute. There are several points in controversy between the government and the company, and the Bill is to make provision that the arbitrators may make their award on each point if they so choose, instead of a general award for the entire case. I think this is a step in the right direction, and the Act is introduced at the request of the arbitrators. There is also a provision in this Act which provides that the Chairman of the Railway Commission, who was appointed third arbitrator before he took his present position, will not be disqualified, as he would be under the Railway Act, 1903.

Mr. W. F. MACLEAN. Would the minister who is leading the House say whether any proposal has been made to the government by the Grand Trunk Railway or the Grand Trunk Pacific looking to the repurchase of the Intercolonial Railway, or running rights over it ?

Mr. BICKERDIKE

Mr. FIELDING. No ; there are no such negotiations.

Mr. FOSTER. Has the arbitration finished its work, and is it now ready for making the award ?

Mr. FIELDING. I understand they are now ready to make a report on almost all the points in dispute between the parties.

Motion agreed to, and Bill read the first and second time.

CONFERENCES BETWEEN SENATE AND HOUSE OF COMMONS.

Hon. W. S. FIELDING (Minister of Finance.) The Senate has passed a resolution with reference to conferences between the Senate and the House of Commons in the event of any differences arising. The present practice as to conferences is very cumbersome, and the Senate has appreciated the desirability of making other arrangements, and has passed the following resolution, which has been sent to this House for concurrence. I am sure the House will gladly concur. I beg to move, seconded by Mr. Fitzpatrick :

1. That in cases in which the House of Commons disagree to any amendments made by the Senate, or insist upon any amendments to which the Ssnate has disagreed, the Commons is willing to receive the reasons of the Senate for their disagreeing or insisting (as the case may be) by message, without a conference, unless at any time the Senate should desire to communicate the same at a conference.

2. That any conference between the Houses may be a free conference.

Mr. FIELDING moved:

That a message be sent to the Senate to inform their Honours that the Commons have agreed to the foregoing resolution.

Motion agreed to.

QUESTIONS.

TIMBER ON INDIAN LANDS.

Mr. SCHAFFNER—by Mr. Taylor—asked:

1. What is the government's mode of procedure in dealing with the sale of timber and timber limits under the control of the Indian Department as to (a) sale by tender; (b) sale by public auction ; (c) choice between different tenderers ; (d) bonuses, ground rents and other fees ; (e) when and how such bonuses, ground rents, &c., are collected ; (f) whether any licenses are in arrears, and if so to what extent, and who are the licensees ?

2. How many timber licenses are now in force throughout Manitoba and the Northwest Territories, and when was each issued ? Are any of these in arrears ?

3. When a tender for the sale of timber or a timber limit is accepted, is immediate payment of the amount tendered necessary as well as bonuses, ground rent, &c. ? Have all such been dealt with in this way ? If not, what are the exceptions, and why ?

Hon. FRANK OLIVER (Minister of the Interior). 1. (a) Timber and timber limits are sold under (b) Section 3 of the Timber Regulations of the Indian Department; (c) public auction, or by tender, after public notice is given. The highest tender is accepted. (d) When limits are sold bonus is required to be paid, also ground rent, $3 per square mile, and license fee, $4. Ground rent is paid by the licensee thereafter annually before the 30th November and (e) renewal fee of $2; (f) There is only one licensee in arrears. The license was originally granted to Messrs. Klock & Co., who transferred it to the Molson's Bank, the present holders. The amount claimed to be due and payable to the department is about $7,000.

2. There are no licenses in force in either Manitoba or the Northwest Territories.

3. No license can issue to cut timber on a limit until the bonus, ground rent and license fee shall have first been paid.

TORONTO ISLAND FOG-HORN.

Mr. A. E. KEMP (East Toronto.) Mr. Speaker, before the Orders of the Day are called I would like to direct the attention of the Minister of Marine and Fisheries (Mr. Prefontaine) to what I may call a fog-horn nuisance adjacent to the city of Toronto. It appears that the old fog-horn on Toronto island has been abandoned and dismantled, and that under the auspices of the government a new fog-horn has being invented for use in all parts of Canada. The location of the fog-horn has been changed from where the old one was to the pier at the eastern gap. The new fog-horn makes very much more noise than the old one did. I presume that the minister is glad to know that, because the more noise a fog-horn makes I suppose the greater success it is considered to be. But I am informed that this fog-horn is in operation at times when there is no necessity for it, for the purpose of experimenting for the benefit of other parts of the country. It is heard when the sun is shining and when it is possible to see for miles out upon the lake. The island during the summer months is occupied by many people as a health resort. Large numbers of the citizens of Toronto have gone there for many years, and many of them have built expensive houses in the neighbourhood of this fog-horn. The result is that if this nuisance is not abated many of these people will have to leave the island and sacrifice their properties. But the difficulty extends further than to the residents of the island. It extends to the mainland. The general hospital of Toronto has perhaps 350 or 400 patients and the hospital authorities have complained seriously to me in regard to this nuisance. The residents of the whole city are also very much annoyed by the continual blowing of this fog-horn hour after hour and day after day when there is no necessity for it. The residents do not object to the fog-horn operating when it is necessary for the protection of ships on the lake, but they do object to it operating when it is entirely unnecessary and for experiments being carried on there for use all over Canada. They say that if it is necessary to carry on these experiments it should be done away from such a centre of population as the city of Toronto. There are two suggestions I would like to make to the minister. One is that when it is necessary to operate this fog-horn for the protection of shipping there should be some sort of deflector put behind it to throw the sound out on the lake, and to prevent, as far as possible, the sound going over the city to disturb the whole 250,000 people of the city of Toronto and to cause them to lose their rest. So far as the experimenting is concerned, I would like the minister to assure me and the city of Toronto that that will be put a stop to by the removal of the experimenting station to some place not so thickly populated as the city of Toronto. I would like to read a letter which represents the sentiments of the people who live on the island. It is as follows:

July 10th, 1905.

A. E. Kemp, Esq., M.P.,
House of Commons, Ottawa.

Dear Sir,—I have been requested by the residents of Toronto Island to call your attention to the fact that we have lately been subjected to great annoyance from the use of the fog-horn established at the eastern gap at the Island.

We are well aware that it is necessary for the protection of navigation that a horn should be used at this part of the island during foggy weather, and we have no desire, in this letter, to raise any objection to the proper use of the station for this purpose.

Lately the fog-horn has been in active operation morning and night, in season and out of season, and, on several occasions when there was very little, if any, appearance of fog it has continued to blow its loudest blasts to its fullest capacity.

You can readily understand how this must affect the rest and comfort of the residents on the island. Quite a number of people treat the island as a health resort and go there with their invalids for quietness and rest. To these people the island, for the future, will be a forbidden district, if something is not done to moderate the use of this fog-horn.

It is said—but with what amount of truth we cannot say—that the station has lately been used as a testing station for fog-horns, more than for actual navigation purposes.

We would be greatly obliged if you would have this matter looked into, and, if this is the case, would have the Marine Department give instructions that the station should only be used for the protection of navigation and that the further use of the horn, for any other purpose, would be strictly prohibited.

I inclose a clipping from the Saturday 'Telegram' regarding the foregoing. If it is necessary for you to have a petition from all those who object to what we consider a common nuisance, I shall be pleased to procure one for you.

Yours very truly,
GEORGE N. MORANG.

The clipping to which the gentleman refers appeared in the 'Evening Telegram' of Saturday, July 8, and is as follows:

Music of the Fog-horns.

Will be kept up for two months' longer.

Lovers of music in the city will be pleased to learn that the bellowing of the fog-horns at the eastern gap will continue for the next two months. Early and late, day in and day out for months, the fog-horns have been keeping it up.

'They blow all the time, rain or shine', said a resident who lives in the vicinity of Ward's this morning.

A 'Telegram' reporter paid a visit to the scene of the uproar this morning. Mr. McKelvey who is in charge of the station for the government, said that the fog-horn blew at night only when there was a fog. the blowing during the day when it was clear was for the purpose of testing horns to be used by the government at their different stations in the Dominion.

The Canada Fog Signal Company, of which Mr. Northey is the head, supplies fog-horns for the government and test their horns at this station.

'How long do you expect to keep it up?' Mr. Northey was asked this morning.

'Oh, about two months,' was the reply. 'For testing purposes we blow as little as possible, generally between 2 and 5 in the afternoon. The Dominion government is making an effort to secure the best fog-horns available the one which can carry the farthest. The horn at this station has carried as far as 30 miles.'

You can easily see, Mr. Speaker, that if the testing is to be kept up for two months or during the whole summer vacation, the nuisance will be a very serious one. I hope the minister will assure me that the testing will be taken to some other place. I understand that my hon. colleague from South Toronto (Mr. Macdonell) has had representations made to him on the same subject.

Mr. A. C. MACDONALD (South Toronto.) Mr. Speaker, I desire to supplement what the hon. member for East Toronto (Mr. Kemp) has said with reference to the nuisance, which his remarks have fully covered. Referring to the location of the fog-horn at present in use, I may say that it is about central of a very long pier half a mile in length. The marine men find great fault with the location, because being in the centre of the north pier it is not of that service to navigation that it would be if located at the end of the pier.

Hon. RAYMOND PREFONTAINE (Minister of Marine and Fisheries.) As regards the location of the fog-horn, I surmise that the place was chosen by the officers of the department after they had studied the question properly; but if it is necessary to go into the matter again, I will with pleasure look into it. As regards the experimenting, I fail to see that that can be helped at present. These fog-horns are manufactured in Toronto, and they must be tested, and the testing can only be done conveniently at the point where it is done now. Very strong steam power is required to make the test. It might be arranged that the testing should take place only at certain hours. But the nuisance, I think, is magnified, and it is something which to a certain extent cannot be helped. The experimenting will go on for a fortnight or three weeks longer, but I am willing to give instructions that it be done at such hours that it will not disturb the people too much. This experimenting is a necessity that we must try to bear with for a little while longer. It would be out of the question to build a special testing place away from the city of Toronto; it would be too costly. Under the circumstances, therefore, I hope that the people of Toronto will patiently put up with the nuisance, if it is such, and if we regulate the hours for the experimenting, I think the nuisance will not be so great as to justify a complaint.

Mr. J. G. H. BERGERON (Beauharnois.) I might call the attention of my hon. friend to another experiment which has lasted a great deal longer, and if it is the desire of the government to punish Toronto, I do not see why Montreal should be punished. For years there have been complaints of the noise made every hour by the whistles in the Lachine canal, which crosses a part of the city of Montreal. Representations were made on this subject some years ago, and I believe some regulations were adopted, but instead of these being followed, the power of the whistles has increased; and now when a boat comes into the Lachine canal she can be heard all over the city of Montreal. The object of the whistling is to secure the opening of a drawbridge or lock at not more than ten or fifteen acres distance, but it makes enough noise to waken everybody in the city of Montreal, and the more representations that are made the more noise the whistles make. They seem to be experimenting as to how loudly they can blow.

Mr. EMMERSON. Do they whistle in both languages?

Mr. BERGERON. They whistle in the dual language for sure, because they make a terrible noise. I am very serious in the matter. It may be quite proper on the lakes or in a fog to use these whistles, but I do not see their necessity in the city of Montreal. I think the matter belongs rather to the Department of Railway and Canals than to the Department of Marine and Fisheries. If there are regulations, I think they should be put in force, and if there are none, I think there should be regulations which will prevent these whistles blowing in such a way as to awaken the whole city of Montreal.

Hon. H. R. EMMERSON (Minister of Railways and Canals.) The subject referred to by my hon. friend from Beauharnois (Mr. Bergeron) has certainly never come before the department since I have been connected with it. If I had received any complaint on the subject, I would be only too glad to have the matter remedied if there was a grievance. I do not wish to assume the role of a lecturer to the House, but it seems to me that on matters of this kind, instead of consuming half an hour or an hour of the time of the House of Commons, particularly at this stage, hon. members could accomplish quite as much and be quite as effectual in their complaints, by writing letters to the department. I am sure the officials of the department, if not the head, would be only too glad to pay the strictest attention to complaints of that character, and give them prompt attention.

Mr. KEMP. Mr. Speaker, I will end with a motion. This matter is far more serious than I have been able to impress on the mind of the Minister of Marine and Fisheries. A number of the gentlemen who spoke to me in regard to the matter were considering the advisability of taking out an injunction against the government, as would certainly be done if a private individual were responsible for the nuisance. A legal gentleman informed me that an injunction could be obtained against the manufacturer of the fog-horn to prevent the experimenting.

Mr. EMMERSON. I would suggest that they move to St. John, where they would never see a fog-horn.

Mr. KEMP. Does the Minister of Marine and Fisheries say that he will not prevent a nuisance that could be prevented by me if a private individual were concerned? The people at the island are practically having their property confiscated if this nuisance is not abated, for they will be obliged to leave the island. The answer of the Minister of Marine and Fisheries will not be at all satisfactory, for it is ridiculous to say that the 250,000 people of the city of Toronto are going to be disturbed by this kind of thing and that a number of the residents on the island are going to have their property practically confiscated by the continuance of this nuisance. I think the minister ought to say that he will have the experimenting carried on at some place where there is no population or a small population.

Mr. FIELDING. And the manufacture?

Mr. KEMP. Not necessarily the manufacture. It does not follow at all, it does not make any difference to me whether the manufacturing is done in Toronto or twenty-five miles from Toronto, but I want to impress on the minister that it is a more serious matter than he has drawn from any remarks I have made on the subject. It is the experimenting part of it that is objected to.

Mr. A. C. MACDONALD. I would have dwelt at great length in opening had I thought the minister would have taken the matter in the manner he has. It is a serious matter. The superintendent of the Toronto general hospital, one of the largest hospitals in Canada, waited upon me to see if this nuisance could not be abated on behalf of the hundreds of patients in the hospital. It is not a matter to be lightly treated or joked at. The minister made a proper remark that these matters should be settled by correspondence or interviews had with the members of the government. I have a letter from an alderman in Toronto in which he states in reference to this nuisance :

> The Mayor wrote the Department a month ago.

So a month ago the mayor of Toronto wrote the department regarding this nuisance. It ill becomes the Minister of Railways to make the remark he did in regard to the manner in which this subject was brought to the attention of the House. Alderman Church continues :

> To-day the city council asked the government to remove the station to the country.

I do not know if that communication has reached the government, if not, it will. I point out these matters to show that the question is a serious one and that the inconvenience to the people by the nuisance is much greater than the inconvenience which would be caused to the government by removing the nuisance to some other place.

Mr. E. B. OSLER (West Toronto.) I can only from personal knowledge confirm everything that has been said by my friends from Toronto. The nuisance is intolerable and even if it is necessary to have this done for testing purposes I am quite sure the test is carried beyond necessity. That fog-horn goes for hours and hours day and night. It is not a question of a factory in Toronto but of the health of the people in this heated weather. To invalids in hospitals and private houses it is probably as great a nuisance and as dangerous a thing as could possibly exist, and I am quite sure it is not necessary to carry it to the extent it is being carried on and at all events during these dog-days I am satisfied the minister ought to see that the inconvenience is stopped.

Mr. R. L. BORDEN. I would think that the Crown ought not to insist on rights—I trust that hon. gentlemen will not think I am trespassing on the attention of the House. I observed one of my hon. friends

from British Columbia making some observation upon my rising. Let me assure hon. gentlemen they will not facilitate the business of the House by remarks of that kind.

Mr. DUNCAN ROSS. I hope the hon. leader of the opposition is not referring to me.

Mr. R. L. BORDEN. I was, because I thought the hon. gentleman made a remark when I got up.

Mr. DUNCAN ROSS. I beg to assure the hon. gentleman I made no observation.

Mr. R. L. BORDEN. I beg his pardon, it was some other hon. gentleman then very near the hon. gentleman. My remarks will be directed to whoever was responsible. I am going to occupy the attention of the House only a moment, and it is for the purpose of saying that although the government may technically be in a position that no injunction can be obtained against them in respect of this nuisance I think the government in justice and fair-play should not insist in a matter of this kind upon rights which a private citizen would not have. What would be regarded as a nuisance if committed by a corporation should not be insisted on by the government. When we hear of a fog-horn carrying thirty miles being operated within a mile of a hospital, it seems to me that instructions should be given by the department to abate the nuisance. When we learn that a communication has been sent by the city of Toronto to the department a month ago and apparently no steps whatever have been taken on that communication up to the present time, I would venture to suggest that the members for Toronto were quite right in bringing the matter to the attention of the House. I think if the Minister of Marine should have this fog horn brought in somewhat close proximity to his office and operated there for week or two, while he was endeavouring to perform some of the arduous duties of his department, he would perhaps awaken to a realization of what is endured by the citizens of Toronto.

Mr. EMMERSON. Just think what they have to endure in Halifax.

Mr. R. L. BORDEN. From the St. John horn I presume ; it hardly carries that far. Members of the government are so accustomed to blowing their own horn that they desire to continue this fog-horn at Toronto, The blowing of their horn does not affect the country whereas the blowing of the fog-horn at Toronto has a somewhat serious effect.

Mr. SINCLAIR. I will undertake to find a firm in the town in which I live that will manufacture all the horns the minister requiries for the coast of Canada, and if hon. gentlemen think that the noise made by testing these fog horns offends the ears of Toronto I will undertake to say that we will not make any complaint in the town of New Glasgow for all the fog-horns we are asked to make. We are accustomed to the hum of industry down there and we will not make any complaint.

MONTREAL HARBOUR COMMISSIONERS.

Bill (No. 192) respecting the powers of the Harbour Commissioners of Montreal—Mr. Prefontaine—read the second time and House went into committee thereon.

On section 1,

Mr. BERGERON. Is that a recommendation from the Harbour Commissioners ?

Hon. RAYMOND PREFONTAINE (Minister of Marine and Fisheries)—Yes, there was a recommendation from the Harbour Commissioners some time ago. They thought they had the power to appropriate a sum but on consultation with the department of Justice it was ascertained that they had no power under the law.

Mr. BERGERON. I think I saw something of this in the papers. Are not the board of trade and the chamber of commerce co-operating ?

Mr. PREFONTAINE. It is the citizens of Montreal who are moving in the matter and as the late Hon. John Young was connected with the harbour of Montreal, the Harbour Commissioners have been asked to appropriate the sum of $6,000. The monument, it is supposed, will cost about $20,000. The balance of the money will be furnished by the citizens of Montreal and different bodies. The monument is to be erected within the limits of the harbour.

Bill reported, read the third time and passed.

SUPPLY—PENSIONS FOR INTERCOLONIAL EMPLOYEES.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. A. C. MACDONELL (South Toronto). Mr. Speaker, before you leave the chair, I desire to take advantage of the presence in the House of the Minister of Railways to repeat a question I asked on the 15th of March last :

> Does the government intend to introduce at this session the Bill respecting old age pensions, that the Minister of Railways and Canals promised last year to introduce?
>
> Hon. W. S. FIELDING (Minister of Finance). The question of pensions for the Intercolonial Railway workmen is under consideration.

I would ask the Minister of Railways if that matter has been considered since, and if so, with what result?

Hon. H. R. EMMERSON (Minister of Railways and Canals). The matter has received consideration, and a Bill has been prepared; but in view of the legislation before parliament it was found impossible to carry the matter through this session. The House was so engrossed with the Autonomy Bills that it seemed impossible to get an opportunity either to introduce a Bill or to carry it through. Under these circumstances I felt that it would be better to defer the Bill until next session. Since that question was asked by my hon. friend, a delegation from the railway employees of the Intercolonial Railway met a committee of council, the matter was gone into, and it was found impracticable to pass a measure this year.

Mr. MACDONELL. Will the minister give the House an assurance that the Bill will be introduced and pressed through next session ?

Mr. EMMERSON. I gave the delegation the assurance, and so did the Prime Minister, that the Bill would certainly be introduced, if not this session, at any rate next session. Personally I am very much interested in it; that is to say, I am much in favour of it, and it is with great regret indeed that I had to forego the privilege of introducing the Bill this session.

Motion agreed to, and House went into Committee of Supply.

Dominion Lands—Further amount required for contingencies, advertising, etc, and salaries of extra clerks at head office, $15,000.

Mr. FOSTER. This vote and the one we were discussing last night, which stood over, are very objectionable votes. A very large amount of money, in this case $34,000 for the first sub-item, is put down as a lump sum for salaries for the outside service. The present Minister of the Interior does not seem to feel any obligation upon himself in the matter of making appointments before he has the votes. He makes the appointment entirely irrespective of whether he has the authority or not in the money vote; and the whole of our discussion last night did not seem to bring to the minister the least glimmering of the idea that he was stepping outside the bounds in making appointments before he had consulted his vote. Well, then, it gives a lump sum, and that lump sum is for salaries to officers. Now there is no check and no guard upon the department at all in that respect, up to the limit of the vote; so the only thing we can do in order to make that vote as definite as possible and to guard the expenditure, is to ask the minister to give us an itemized statement of every officer and employee in that first sub-item whom he proposes to employ and pay out of that vote, so that it may go upon 'Hansard,' and then we may be able to keep the minister to his vote as it was really given to him on the explanation to parliament. The same thing holds with reference to the item that stood over. I object to these large lump sums given to a department or a minister under cover of which the minister is able to do almost what he likes with reference to the extension of the service, without even consulting the department with reference to a single detail. It would have been better if the minister had had some copies of the statement made out and laid one on the table of the House, and then read it over so that it could go into the 'Hansard..

Hon. FRANK OLIVER (Minister of the Interior). The new appointments I read last night. They are :

C. T. Spence, clerk, Ottawa, $1,200 ; William Lamb, clerk, Ottawa, $1,200; B. T. Haanel, clerk, Ottawa, $1,500; C. H. Bennett, clerk, Ottawa, $540; A. E. Smith, clerk, Ottawa, $500; Captain Powell, timber inspector, High View, $1,200; J. Seale, homestead inspector, Dauphin, $1,200; S. P. Porter, homestead inspector, Regina, $1,500; W. R. Ridington, homestead inspector, Lloydminster, $1,200 ; W. H. White, homestead inspector, Fort Saskatchewan, $1,200; F. Kennedy, homestead inspector, Fort Saskatchewan, $1,200; D. C. McNab, homestead inspector, Brandon, $1,200 ; W. M. Thompson, sub-agent, Fort Qu'Appelle, $360 ; F. J. Houser, sub-agent, Humboldt, $300 ; D. K. Weber, clerk, Battleford, $720 ; R. E. A. Leach, inspector of agencies, Brandon, $2,000 ; J. W. McLeod, clerk to inspector, Brandon, $900 ; Miss Brennan, clerk, New Westminster, $420; C. Menu, clerk, Winnipeg, $900; Albert Helmer, assistant inspector ranches, Calgary, $1,200 ; J. E. Stauffer, forest ranger, Calgary, $900; C. B. Munroe, clerk, Calgary, $900; J. E. Reilly, clerk, Calgary, $720; Miss E. Wright, clerk, Yorkton, $480; Norman Fisher, clerk, Regina, $780; H. Lyons, clerk, Regina, $780; Ralph Nichol, clerk, Regina, $600; Stanley O'Hara, clerk, Regina, $600; Miss J. McArthur, clerk, Prince Albert, $480; W. N. A. Deyl, clerk, Edmonton, $780.

Total, $27,460 for new appointments. From this deduct the amounts provided in the main estimates of 1905-6, $4,750, reducing the amount to the net sum of $22,710.

Mr. FOSTER. You have already voted for the outside service new salaries amounting to $4,750.

Mr. OLIVER. Provision was made for that amount, but it was not sufficient; so this provision cancels that provision.

Mr. FOSTER. That is cancelled ?

Mr. OLIVER. That is cancelled.

Mr. FOSTER. Now, with reference to the remainder of the money.

Mr. OLIVER. The following are the increases in salary :

T. R. Burpe, assistant commissioner, Ottawa..	$ 200 00
F. F. Dixon, chief clerk, Ottawa.. ..	400 00
A. S. Robertson, book binder, clerk, &c., Ottawa..	220 00

C. A. Walkinshaw, transport inspector, Boissevain	$ 300 00
Thos. Borthwick, homestead inspector, Prince Albert	200 00
W. McMillan, homestead inspector, Treherne	300 00
G. H. Clouston, homestead inspector, Battleford	300 00
Jas. Paisley, clerk, Brandon	100 00
T. C. Douglas, clerk, Calgary	100 00
J. R. Gayton, clerk, Regina	80 00
G. W. Skene, clerk, Regina	80 00
J. A. Bannerman, clerk, Red Deer	300 00
Miss E. M. Boyle, clerk, Edmonton	60 00
R. McIntosh, sub-agent, Saskatoon	300 00
J. W. Martin, agent, Lethbridge	200 00
L. P. O. Noel, agent, Battleford	200 00
Total	3,340 00

Mr. FOSTER. That leaves a balance of about $5,000 or $6,000 for the minister. What does he propose to do with that?

Mr. OLIVER. I have other items, as follows:

Omitted in Main Estimates.		
A. Pelton, clerk, Ottawa		$ 1,000
Decreases—		
Left the service.		
Stephen Wilson, homestead inspector, Calgary	1,200	
J. A. Royal, clerk, Winnipeg	1,000	
Joseph Nixon, sub-agent, Macleod	600	
R. M. Douglas, sub-agent, Tantalon	180	
	2,980	
Difference re Sub-agent at Rosthern.		
Amount estimated for F. Edemhofer, now transferred as clerk in Prince Albert office	$900	
And salary of Geo. Langley appointed as sub-agent at Rosthern	600	
	300	
Salary of former Agent at Battleford.		
Mr. R. F. Chisholm held concurrently the positions of agent of Dominion lands and of registrar at Battleford. He has been relieved from the duties of agent of Dominion lands, which position is now held by Mr. L. P. O. Noel, the accountant in that office	500	
Summary.		
Increases—		
New appointments	$22,710	
Increases in salaries	3,340	
Omitted in main estimates	1,000	
	27,050	
Decreases—		
Left the service	$ 2,980	
Difference re salary of sub-agent at Rosthern	300	
Salary of former agent at Battleford	500	
	3,780	
Balance net increase	23,270	
To provide for additional help in 1905-6 at places where urgently needed	10,730	
Total increase	34,000	

Mr. FOSTER. Then, after the hon. minister has covered every earthly place he can think of, he wants $10,000 more given to him for what may possibly occur. Does not the hon. minister think that is rather a large amount? I quite agree that there should be some come and go, but it seems to me that $5,000 is sufficient, when you have entered your year and made your final examination of all the services under your control. What I am aiming at is what the hon. minister should wish to have and that is a working amount.

Mr. OLIVER. I can assure the hon. gentleman that as the Minister I am very anxious to keep down the estimate too, but I have been called to account very vigourously by members on the other side of the House by reason of having incurred expenditures without an authorization of the money; in fact, the hon. gentleman was pretty vigorous along that line last night.

Mr. FOSTER. That is right.

Mr. OLIVER. And as a matter of fact the increase of requirement owing to the rush of settlers during the past few years is very great and it must be met; otherwise, very grave injury will result. I cannot say, of course, that $10,000 will be required or will be used, but the best opinion I can get is that in order to be safe we had better ask for that amount.

Mr. FOSTER. I am not disposed to insist upon that part of it so long as we know definitely just where we are and what is contemplated now, and if there is a margin of $10,000 we will hold the hon. minister responsible for it at our next session. This is a very large increase. I am quite willing to admit that the extension of settlement calling for patents extends the work of the officials over very large areas. If we had time I should like to ask in the case of every one of these what was the reason for the appointment and what was the district to be covered, but I do not feel that we have time at present to do that. What I am after is to get definiteness in the matter and to impress upon the hon. minister that he must confine himself to moneys for which he has a vote. If any extraordinary thing arises that the world will not wait a few days for he should get a Governor General's warrant, if it is possible, but we ought to stand close to the parliamentary authorization of these votes. Now, the next item is:

Further amount required for contingencies, advertising, &c., and salaries of extra clerks at head office, $15,000.

Just on that point. I do not want to go over the ground that I went over last night, but if the hon. minister, after sleeping over it—I do not know that he could have slept much last night with the conscience that he had—feels disposed to acquiesce in what we asked on this side of the House that he should stand by the right hon. Prime Minister's declaration in reference to these officers I think it would facilitate business; otherwise we must bring in a motion and debate that very important question. We

cannot go on voting money for officers who enter the field against any party in this Dominion and endeavour to prevent the people's will from having its just indication at the polls.

Mr. OLIVER. The position taken by my right hon. friend the Prime Minister, I take it, necessarily governs those who are associated with him in the government.

Mr. FOSTER. But the hon. minister last night refused to be governed by it.

Mr. OLIVER. No, I hardly agree with the hon. member in that particular. I do not see that it would be possible for me to place myself in the position which the hon. member desires I should be placed in. Having slept over the matter, and I can assure him I had a very good sleep last night, I do not see that I can alter my position. It is regrettable that there should be a difference of opinion between the hon. member and myself as to what position I should take in regard to the administration of the office which I hold, but I am sure he will agree that it is not possible we should always agree as to what should be my action in that office and therefore we will have to agree to disagree.

Mr. FOSTER. That being so there is no use wasting more time on it just now. We will have to introduce a motion and debate the question in the House. Now, in reference to the items of the second sub-item.

Mr. OLIVER. The sum of $85,000 was included in the main estimates for 1905-6 in connection with the vote for contingencies, advertising and salaries of extra clerks at head office, and it is necessary that an additional amount of $15,000 be voted. The additional amount is $15,000, making the total appropriation $100,000.

Mr. FOSTER. What was the vote last year ?

Mr. OLIVER. It was divided into two, contingencies and salaries of clerks at head office and advertising. For the year 1904-05 the sum required was contingencies, main estimates, $37,100, supplementary estimates $1,200, salaries and extra clerks at head office and advertising, $38,500, total $87,600. According to the above figures the total amount of the estimates for 1905-06 exceeds this by $12,400. The increase is chiefly in the homestead inspectors' expenses, office contingencies, advertising, homestead and mining regulations, and appointment of extra clerks at head office.

Mr. FOSTER. How much of that vote is for contingencies and how much for other purposes ?

Mr. OLIVER. This statement has been placed in my hands ; statement showing the sums included for the above service in main estimates for fiscal year 1905-6, also sums considered necessary for another year according to present conditions in each case. Contingencies, homestead inspectors' outfits, travelling expenses (main estimates, $12,000) considered necessary for 1906, $16,000, increase, $4,000. The total increase of contingencies is $9,000. The total vote is $45,000 and we are asking for $54,000, making $9,000 increase. In the homestead inspectors there is an increase of $4,000, total, $16,000 ; rangers $4,000 no increase. Dominion lands and Crown timber agents $16,000 in the main estimates, $20,000 asked for, increase $4,000. Travelling expenses superintendents of mines, inspectors of agencies and others, $2,500, no increase. Printing and stationery, $7,500, $8,500 asked for, increase, $1,000. Miscellaneous, freight and express charges telegrams, &c., $3,000, no increase. Advertising, inserting mining and homestead regulations, advertising sale of timber berths &c., $12,500 in main, $14,000 asked for, increase $1,500. Salaries of extra clerks at head office, $32,000, an increase of $4,500. That makes up the sum of $15,000 asked for in the estimates.

Mr. FOSTER. There is a very large increase in the extra clerks in this city. I suppose the minister could not have investigated this himself, but must have taken the report of his officers.

Mr. OLIVER. Yes. It would not be possible for me to know personally.

Mr. FOSTER. Why are these extra clerks necessary ?

Mr. OLIVER. The patents are now falling in in very large numbers and their preparation is one considerable cause of increase.

Mr. FOSTER. Is not your patent printed and the blanks filled in ?

Mr. OLIVER. There are fifteen different forms of patent, and although they are printed there is a great deal of filling in. That is only one reason for the increase.

Mr. FOSTER. What are the others ?

Mr. OLIVER. The records of all the land and mineral transactions are kept at the head office and they are increasing very rapidly causing a great deal of extra work.

Mr. R. L. BORDEN. Some time ago I brought before the attention of the House a complaint made by Mr. D. G. Seymour, of Oxbow, Assiniboia. Perhaps the minister has not got the information with regard to that, but I draw his attention to it again. Mr. Seymour says he has been very badly treated in connection with a location for homstead entry. If the minister will ask one of his clerks to look at

the 'Hansard' of ten days ago he will see I gave full particulars of the case then.

There is another matter as to which I have a communication which I wish to bring to the attention of the House, and it is with regard to the settlement of the railway belt in British Columbia. I have not had an opportunity of investigating the subject mentioned in this letter, but I will read it to the minister and possibly I may get an opportunity of investigating it while it is receiving the attention of the department. My correspondent, of whom I know nothing except that he writes very intelligently in regard to the subject, says :

I write you with the hope that you may see your way to call the attention of the House to certain existing abuses under the present Dominion Crown Timber Regulations which are retarding the settlement and development of that portion of the province of British Columbia known as the railway belt. I desire to lay before you the following facts :

Settlers are being refused entry to lands for homesteads under the plea that such lands are portions of timber berths and cannot be entered for without the consent of the lessees, though the merchantable timber has long since been cut off said lands. The result is that thousands of acres in the vicinity of Kault in the district of Yale have been purchased by the holders of the timber leases, with the assistance of the officials driving off the settlers. These lands are among the most valuable in the railway belt and were recently timber berths, but are now being offered to the public, without any further clearing having been done, at $25 per acre by the officers of the Columbia River Lumber Company. It would be interesting to know what they paid for them. The same thing is being attempted in this district of Northeast Kootenay between Donald and the southern end of the railway belt, a distance of some fifty miles on the west side of the Columbia river, by the same clique of land grabbers.

This state of affairs could not exist without the connivance of the Crown timber inspector for British Columbia, and the homestead inspector for British Columbia, and I submit, demands investigation. I would suggest that the Crown timber regulations for the railway belt in British Columbia should be so amended that it would be the plain duty of the Crown timber inspectors, after portions of a limit had been denuded of merchantable timber, to declare said lands open for entry, and that all applications to purchase said lands should be advertised at least sixty days before the application could be received by the government ; and said advertisements and notices should contain the price offered by the would-be purchaser. In all cases, I submit, the homesteader should have the first right. None of the lands should be purchased for at least five years after being thrown open.

Under the agreement between the government of British Columbia and the government of Canada, dated 1883, 'the government of Canada binds itself that all the lands in said belt shall be open to settlement on the same terms and conditions as theretofore existing in the province of British Columbia.' That agreement, it appears to me, clearly gives the homesteader the first right even before a timber lease.

Under the present working of the regulations the homesteader has no show if, as is apparentlay the case at the present time, the Crown timber inspector and the homestead inspector act in the interest of scheming speculators.

I think that you will agree that the matter demands investigation, and if these lands near Kault have been acquired by speculators with the fraudulent connivance of the government officials, said sales should be cancelled.

I do not know anything about the subject ; but, as the letter seems to be written by an intelligent man, who professes to know that of which he speaks, I take the only course open to me, of bringing the matter to the attention of the minister.

Mr. DUNCAN ROSS. Would the hon. gentleman object to give the name of the writer?

Mr. R. L. BORDEN. Though I see nothing in the letter requiring the name to be withheld, I am not authorized to give it ; but I will write to the gentleman and inform him that his name has been asked for in parliament, and if I obtain his permission, I will give his name to the Minister of the Interior.

With regard to certain immigrants detained in Halifax because suffering from trachoma, I will not say anything at present, but I will hand to the Minister of the Interior, a letter which has come to me and which he will be good enough to return to me after he has looked into the subject.

Mr. OLIVER. I may say that when a timber lease is granted, the lessee has all the rights in the area subject to this condition, that when an application is made for a homestead within the area on the ground that such homestead has been denuded of timber, and that the granting of the homestead will not injure the timber still remaining, an inspection is made by the department and the homestead is granted according to the rules of the department. It used to be that in the railway belt a dollar an acre was charged for homestead lands, but now they are free there just as they are in the Northwest Territories. That is the policy pursued by the department. If there has been a collusion between the officials of the department and a certain company, that is certainly a very objectionable matter, and on the statement which has been placed before the House by the hon. member, it will be my duty to make careful inquiry into it to see that no such arrangement is carried into effect.

Mr. R. L. BORDEN. I do not know anything about the company ; I did not know what its name was, nor did I know of its existence nor who composed it. Therefore I cannot say anything about that. Might I ask, so far as the railway belt is concerned, what are the regulations in regard to timber rights ? Under what conditions would any citizen of the country get a timber berth in the railway belt ?

Mr. OLIVER. The timber regulations which apply to the Northwest also apply to the railway belt of British Columbia, which is administered by the Department of the Interior. The procedure is that when any person desires to acquire a timber lease, he makes application to the department to have it advertised. He gives such a description as he can of the area required. An advertisement is then inserted for one time in the nearest newspaper, giving the are of the limit, the location, and the date and hour when tenders for the work will be opened in Ottawa. Printed slips are also sent out to parties who may be supposed to be interested in timber limits. The idea is to give as much publicity as possible at the minimum of expense, to the fact that the sale is about to take place. On the day appointed tenders are opened in Ottawa, and the limit is awarded to the person who offers the highest bonus. The lessee pays so much rental, and I think also pays a royalty on the timber that is cut. The person who pays the highest bonus is awarded the license. All the conditions are equal to everybody.

Mr. R. L. BORDEN. Does the lessee receive it for a certain term, or is he allowed an unlimited time in which to clear the timber off ?

Mr. OLIVER. In the letter of the law he only gets it for a year ; but the custom is to renew the license year by year so long as the licensee pays the rent and complies with the other requirements which the government lays upon him.

Mr. R. L. BORDEN. Is there an investigation held?

Mr. OLIVER. As I have said, whenever any person applies for a limit, we make an investigation, but it has not been the practice to investigate of our own motion.

Mr. W. F. MACLEAN. Regarding the granting of the right to cut timber on a limit, the law in the province of Ontario is that when a man secures a limit he cuts what timber he likes. But the time has come when the government should define the minimum size to be cut. That is the only way in which we can keep our forests as a perpetual source of supply and profit. Such a policy is in force in the countries of Europe and has been very successful, and if we do not adopt such a course, in a short time we will not have sufficient timber to supply the needs of the country.

Mr. OLIVER. I understand that the regulations under which the lumbermen work do not warrant them in cutting timber under a certain size. There is the forestry branch of the department which is being got under way with the view of looking towards the preservation of our forests.

Further amount required for protection of timber in Manitoba, the North-west Territories and the railway belt in British Columbia, and tree culture in Manitoba and the North-west Territories, $10,000.

Mr. W. J. ROCHE. What is the policy of the government with reference to the Riding Mountain timber reserve? Some time ago I informed the minister that I would bring the question up in supply. It appears that the government did contemplate at one time altering the boundaries of Riding Mountain. We had a great deal of discussion in a previous session with reference to the boundaries, especially of township 19, range 19, which is included in the present boundaries of that reservation. The Canadian Northern Railway Company selected some of their lands in that township and handed over some of them to the Manitoba government, and the balance, I believe, to the Saskatchewan Valley Land Company. All three have sold to individual settlers certain lands in that township notwithstanding the fact that it is contained within the area of the timber reserve. These individual purchasers are having considerable difficulty in securing their titles owing to the fact that the Dominion government have taken the position that the Canadian Northern had no right to dispose of the lands; but it appears that the former Minister of the Interior (Mr. Sifton) admitted in this House that the Canadian Northern had the right to make their selection in that township and was anxious that they should take other lands outside the township in exchange for these, so that he might lock up this township as a special reserve. Some 25 to 30 half-breed families have located in the neighbourhood of Deerwater lake and a number of good Scandinavian settlers from the States have purchased land in that township either from the Manitoba government or these two companies. They have paid one or more instalments and have made improvements, but still it appears they cannot get any assurance that their titles will be recognized by the Department of the Interior. It would be well, should the government decide to inclose that township within the timber reserves, to notify those people or else throw the country open for settlement. There is very little timber in that country as it is largely cleared, but it has splendid agricultural lands. I have many communications from half-breeds and individual purchasers, Scandinavian settlers, who are anxious to know in what position they are likely to be. One of these settlers has spent some $2,000 already, and of course is very anxious not to lose all that money.

Mr. OLIVER. I have not had time to go fully into the question, and since it has given my predecessor a good deal of trouble my hon. friend will admit that it is not one which I can settle without some considerable inquiry. My own view is that if these people have settled in a township

along the outskirts of the reserve, and if the facts are as stated by the hon. member, they should be confirmed in their holdings; but I am given to understand that their location is considerably within the reserve. That being the case, while it would be a very great hardship to the settlers to have to remove, their remaining on the land in the very heart of the reserve would render it impossible to keep that section intact as a timber reserve and would prejudice the preservation of the whole area as such. I understand that some arrangement has already been made with some of the land owners to give them an exchange of land. If we cannot allow them to remain on the land without seriously prejudicing the general public interest in the reserve, we will have to make the most equitable arrangement we can at the earliest possible moment.

Mr. W. J. ROCHE. The ex-Minister of the Interior (Mr. Sifton) said last session that he had everything cleared up with regard to that township except one point. He had arranged with the Canadian Northern Railway Company for an exchange of land. He was to give them lands outside the reserve in exchange for those inside it, but there were some individual purchasers that he still had to deal with. The land is not on the outskirts of the reserve. Although it is devoid of timber, it is within the timber area. If the hon. gentleman says it is impossible to allow these people to remain on their lands, I might read to him a letter written to me on March 16th by his deputy minister concerning a communication I received from Mr. Chriss Larson, who was one of the Scandinavian settlers :—

Ottawa, March 16, 1905.

Dear Dr. Roche,

I duly received your letter of the 2nd instant, inclosing one from Mr. Chriss Larson of Danvers, Minnedosa, Manitoba, who is desirous of acquiring certain lands in Township 19, Range 19, West.

In reply I beg to state that it will not be possible for the department to allow anybody to locate within the Riding Mountain Timber Reserve, and I understand arrangements are now being made with the railway company from which lands have been purchased in the reserve to have exchanges effected so that no lands within the reserve will be disposed of for settlement purposes. I am sorry that Mr. Larson should have had any difficulty with regard to the land which he would like to secure, but as the proper protection of the timber areas in the west is one of public importance, I have no doubt that you will agree with me that it would not be possible to permit any one to locate within these reserves, as it would be quite impossible to exercise proper supervision towards their maintenance if once we permitted any one to locate within these timber areas.

I return Mr. Larson's letter herewith.

Yours truly,

W. W. CORY,
(Deputy Minister.)

I have forwarded this letter to Mr. Larson expressing my regret that apparently his title was not going to be recognized. Should this prove to be the case, I desire to say that one of the hon. gentleman's officials, Mr. White, appeared up there last year and informed the half-breeds, who were located there, that the lands were going to be handed over to them and he also informed the Scandinavian settlers that they would have to vacate their settlements. This was in the latter part of September and these half-breeds all have locations in that township. It may have been done for a purpose, in fact no doubt it was, but I was present in court and it appeared that as a result of the advice given by Mr. White, the timber inspector who told the half-breeds to go on and take possession of the property, one of these men actually went to a field and took up Larson's potatoes. Larson had purchased from the government but the half-breeds had appropriated this land, as the result of the advice of the government officials and then he was arrested for having stolen the potatoes. I was present at the trial and I shall read a portion of White's evidence. He said :

I told them, the two Andersons that they must give up the property by order of E. T. Stevenson——

That is the Crown Timber Agent at Winnipeg.

—as it was to be left in possession of the Breeds and I told the breeds to take possession of the property and make any improvements they saw fit.

This is the sworn testimony of a government official in September last. The government had decided to allow the breeds to take possession. Do they intend to turn the Scandinavians off and the breeds off as well or did they only desire to keep the breeds off until after November 3 ? The breeds are anxious to own the land and so are the Scandinavians. Surely it is not the policy of the government to discriminate against any class of settlers in that way. Either the reserves should be maintained intact or homesteading should be permitted. I might also say that the then Minister of the Interior (Mr. Sifton) caused his inspectors to go through that country and report on the entire matter of the reserve about a year ago and the report was to the effect that this timber reserve should be maintained intact and no settlers should be allowed to settle as fires would break out in the forest and great destruction would result. Notwithstanding this report this question has been kept dilly-dallying along and these settlers are in a state of uncertainty as to whether they will be allowed to locate there permanently or not. I think this question should be easily answered by the Minister of the Interior, are these half-breeds to be allowed to take possession of the land, are the Scandinavian settlers to be turned

off the land, or what possible disposition is to be made of the land in view of the fact that the Canadian nation has properly selected its land there and disposed of it to individual settlers, amongst whom are some men of means who have come from the United States. I do not think it is at all right to have the question remain in a state of uncertainty for such a very long time. I wrote the then Minister of the Interior (Mr. Sifton) on the subject last September, and he replied on September 7 as follows :

My dear Sir,—Replying to your letter of the 1st instant, I have now before me the question of the squatters in township 19, range 19, and expect in a few days to deal with the matter and give instructions as to what action should be taken.

As this was on the eve of being settled on the 7th of September and the minister then expected that in a few days he would be able to give instructions surely now, some ten months later, the government ought to have a policy on the question and not keep these breeds in uncertainty as to whether they are going to be allowed the land or not.

Mr. OLIVER. What would the hon. member suggest?

Mr. W. J. ROCHE. I suggest either one of two things, either the people should be notified that this is to be maintained as a timber reserve and entirely closed up to prevent the destruction of our forests there or these people should be allowed the privilege of homesteading in whatever area the government decides to open for settlement. I understand that this township 19 range 19, is an agricultural section with very little timber but if the government find, after receiving the reports from the inspector, that they can throw these townships open with safety to the reserve, let them do so. Some of these half-breeds have been there for two years, there are some 35 families of half-breeds there and as a matter of fact if the government would decide what is to be done with these lands and they are not allowed to settle there, they would pick up and go west, but they are kept in uncertainty as to whether they will be permitted to remain there or not. One policy or the other should be decided upon and the matter settled.

Mr. OLIVER. As the statement will show the House, this certainly is a very difficult and intricate question and one that involves very material rights of individuals and without going into the matter personally I would not wish to make myself responsible for any action that has been taken. My desire is to protect individual rights where it is possible to do so, and this will be done if it possibly can be and public rights still be maintained. I understand that the member wishes to have the matter settled at the earliest possible date. I am quite at one with him in that, but as I stated to the hon. member for North Toronto it has not been within the bound of possibility in the short time I have been in charge of the department that I should give attention to this and some other intricate matters to which I should give attention in order to reach an intelligent and satisfactory settlement.

Mr. W. J. ROCHE. Can the minister say whether instructions were issued by the department to the effect that these half-breeds were to be allowed occupation of the lands, because I have read the sworn testimony of an official of the government who says he was sent from Winnipeg to notify the Larsons to vacate because these lands were to be occupied by the half-breeds. He surely did not do that off his own bat.

Mr. OLIVER. I cannot imagine that any instructions of that kind were issued from this office and I suppose it will be the contention of the hon. member that if such instructions were issued in any way they would hardly come under my notice at this time. I think I can safely say no such instructions were issued from this office or with the knowledge of the minister. In regard to the rights of the half-breeds I rather imagine that their position is rather different from that of the other settlers. If I am not mistaken the half-breeds were in occupation before the lands were declared a timber reserve.

Mr. W. J. ROCHE. Some of them went in within the last 18 months.

Mr. OLIVER. They are not then in a different position from the other settlers and will not be treated in a different manner. If they were there before the reserve was created it would complicate the matter. If the half-breeds and Scandinavians went in at the same time they will both be treated in the same way.

Mr. W. J. ROCHE. I am glad to hear the hon. gentleman say that no instructions were issued from this office. But Mr. White does not say so; he says he got instructions from the Winnipeg office which is subordinate to this office, and if instructions were not issued to White at all, it places him in an awkward position when in the sworn testimony he says that he was sent and :

I told them they must vacate by order of E. T. Stevenson, who was the timber agent at Winnipeg; that land was to be left in the possession of the breeds and I told the breeds to take possession of the property and make any improvements they saw fit.

There are other settlers in that timber reserve, there are Galician settlers there who have been there for five or six years. There are Galicians in this district at sections 2, 4, 6, 8, 10, 12, 18, 20, 22, and 24 in township 20, range 32 and section 18, township 20, range 21. There are many scores of

Galician settlers in this reserve, but these lands have heretofore been exempt from homestead entry so the government should either tell these people that they are not allowed to remain there or they should be given the privileges to enter for their lands.

Mr. OLIVER. Are they scattered through the reserve or simply living in the district?

Mr. W. J. ROCHE. As to this particular section of the reserve I do not know whether they are in settlements or not, but they have been there between four and five years and last November they were assured they were to be allowed entry for section 9, but they are certainly within the area of the timber reserve.

Mr. ARMSTRONG. I may be out of order, but I want to call attention to the fact that the temperature in this room is 80 degrees at the present moment. I think some one is neglecting his duty. If the Minister of Public Works will make inquiry he will find that in the clubhouses on the other side they can regulate the temperature during the summer months to any point they please.

Mines Branch—To provide for the expenditure connected with experimenting the smelting of iron ores by electro-thermi process, $15,000.

Mr. OLIVER. I have a memorandum here containing the information which I will read if desired, but it will be printed in the report.

Some hon. MEMBERS. That will do.

Mr. R. L. BORDEN. I thought a report appeared in some of the newspapers a little while ago to the effect that this system could not be applied on a very large scale.

Mr. OLIVER. They have not been making any serious experiments. There was an investigation held in Europe last year, and as a result of that investigation we ask for this sum of money for the purpose of making a thorough experiment in this country. This work is being carried out under the direction of Dr. Haanel.

Mr. R. L. BORDEN. I would like to ask the Minister of the Interior who is the director of the geological survey at the present time.

Mr. OLIVER. Dr. Bell is the acting director, no director has yet been appointed.

Mr. R. L. BORDEN. How long has he been acting director ?

Mr. OLIVER. Ever since the death of Dr. Dawson, about five years ago. I may say that this vote has nothing to do with the geological survey vote.

Mr. R. L. BORDEN. I know it has not, but I want to mention the geological survey, because year after year, we have been going on without any regularly appointed director. It seems to me that is rather a curious condition. Dr. Dawson, a very able man to whom this country owed a great deal and whose memory we all respect, was director at the time of his death. Since then there has been no director, but one of the officials of the department has been merely acting as such. I do not know anything about the qualifications of Dr. Bell, or of any other man in the department ; but it would seem to me that it is the duty of the government to make some regular appointment. If Dr. Bell has been acting director to the satisfaction of the government during the past five years, if he has been able to carry on the administration of the department during that time in a satisfactory manner, one would suppose that there ought not to be any great hesitation in appointing him. On the other hand, if he has not been conducting the affairs of the department in a satisfactory manner, it seems to me it is the duty of the administration to find some one who can do so. I see no reason whatever why this temporary and tentative condition of affairs should be allowed to continue for a period of five years in respect of a work that is so important to the people of this country as the work of the geological survey. I would like the minister, before his estimates are finally passed, to make a statement to the House as to why this period of five years has been allowed to elapse without making an appointment, and whether it is in contemplation at once to make a permanent one.

Mr. OLIVER. In regard to this matter, the importance of which I fully recognize, I am unfortunately in much the same position as in regard to some other matters in the department—I have not had time nor opportunity to deal with the question. The ex-minister who was in charge of the department since the death of Dr. Dawson, had not seen fit to appoint a director to the office, I have assumed that he must have had good reasons for taking that course, and I am not in a position as yet to question the reasons he may have had. I may say, however, that I quite appreciate the importance of the position, and of having a responsible director at the head of the survey. I beg to assure the committee, that the matter will have my best attention at the earliest possible moment, and that a permanent appointment will be made. Beyond that, I am not able to make any statement. I have not been able to get in touch with that branch of the department sufficiently well to enable me to form an opinion.

Mr. R. L. BORDEN. I appreciate that. It is a reflection, I think, on Dr. Bell to

keep him in that transitory position, the position of acting in a department where he might reasonably look forward to a permanent appointment. To keep him there for five years is neither fair to him nor to the department, nor to the country. If, as I said, he has been able to administer the affairs of the department with a reasonable degree of satisfaction during the past five years, that circumstance would entitle him to every consideration at the hands of the government. If, however, that is not the case in the opinion of the administration, there is nevertheless the same good reason why that post should be filled at once. If there are any good reasons why Dr. Bell should not be permanently appointed, I would suppose that these same good reasons would have been sufficient to prevent the government from continuing him in this temporary position for five years. I would suppose that a man who has been in charge of that department for five years ought, unless there are some extraordinary circumstances of which I know nothing, to receive the permanent appointment. Five years is a considerable time in the official life of a man at the head of the Geological Survey; and if there are any such reasons known to the late Minister of the Interior as those to which the present minister has alluded, I think it is right that they should be known to the House. But I cannot conceive that any such reasons existed, otherwise they would not have warranted the continuance of Dr. Bell in the position which he now holds during the period which has intervened since the death of Dr. Dawson.

Mr. OLIVER. I do not wish to be understood as suggesting any reasons reflecting at all on Dr. Bell. I might suggest, however, that this is a very technical and scientific position, and it might take some time to decide by experience as to Dr. Bell's fitness for the position of director; and supposing that the late minister's decision were against him, it would take a great many years to find some one as satisfactory to take that position.

Mr. ARMSTRONG. Having been in touch with the Geological Survey for a great many years, and realizing the ability of Dr. Bell, I cannot but re-echo the words which have been uttered by my hon. friend the leader of the opposition (Mr. R. L. Borden). I can assure the hon. minister that Dr. Bell is a man of very high standing, not only in Canada, but throughout the world. He is one of the most prominent scientists that there are in the civilized world, and I am satisfied that if the hon. minister will only investigate the matter thoroughly he will find that he is a capable person to fill that position. I sincerely hope that he will reach a decision before long, because Dr. Bell has been unfairly dealt with. By reason of keeping him out of this position he has been unable to accept a more remunerative position, and in many other ways he has been unfairly dealt with by keeping him in the position in which he is at the present time.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Dominion Lands—Further amount required for surveys, $100,000.

Mr. OLIVER. The extent of the surveys were not known when the treasury board met, and the $500,000 of the main estimates will have to be increased.

Mr. W. F. MACLEAN. How much was spent last year altogether?

Mr. OLIVER. $750,000. This year the main estimate was $500,000 as it was believed the extensive surveys made in the past would render some surveys unnecessary this year. However, this $100,000 will be required, making in all for the year $600,000.

Mr. W. F. MACLEAN. Are the surveys ahead of settlement?

Mr. OLIVER. Yes and no. We have no means to define where settlement is going. In some parts it is ahead of the survey and in some parts the survey is beyond the settlement. There have been surveys made many years ago in parts of the country where there still is no settlement.

Construction of water works and sewage system, Banff, Northwest Territories, $95,000.

Mr. BENNETT. Will that be the total cost?

Mr. OLIVER. Yes.

Mr. R. L. BORDEN. Why is the government constructing this?

Mr. OLIVER. Banff park is under the supervision of the Department of the Interior, and in connection with the springs and other attractions as a health resort a town has grown up. The government owns the town, the land being merely leased and consequently the town is not in a position to build water works and a sewage system. It is proposed to put in a system which will supply the town including the hotel. A revenue will be derived from it.

Mr. W. F. MACLEAN. Will the income pay the expenses?

Mr. OLIVER. It is believed that the income from the Canadian Pacific Railway hotels and the equipment around the park under direct supervision of the government will more than pay the interest on the cost.

Mr. R. L. BORDEN. Under what title do the residents of the town hold their leases?

Mr. OLIVER. It is an annual lease subject to renewal if the conditions are com-

plied with. The object of the government at the time was to preserve the character of the park as an ideal summer resort.

Mr. R. L. BORDEN. What is the extent of the town ?

Mr. OLIVER. The park is fifty miles in length and ten or fifteen wide and the town would not occupy more than a quarter section.

Mr. R. L. BORDEN. What policy do you intend to follow if the town should grow ?

Mr. OLIVER. I cannot speak as a minister but as the representative of the district it was my opinion that some arrangement should be made to give a title in the limited area occupied by the town as an encouragement to the erection of the better class of buildings.

Mr. R. L. BORDEN. If the intention is to encourage the development of the town the minister's idea would be the correct one; the town itself would then take charge of works of this kind.

Advance for seed grain to needy settlers in the west, $7,000.

Mr. R. L. BORDEN. How much was expended last year ?

Mr. OLIVER. Between $5,000 and $4,000. The crops of these settlers were destroyed by hail last year and we supplied them with this seed. The government takes a lien on the homestead as repayment for the loan.

Mr. OSLER. Have the debts for seed grain been wiped out or cancelled ?

Mr. OLIVER. They have not all been wiped out, but they very largely have been. Speaking generally, they are wiped out.

Mr. OSLER. Why not have them all wiped out ? If the people are not able to pay now, they will never be able to pay.

Mr. OLIVER. The government of course can at any time collect by enforcing the lien against the land ; but that is liable to be construed to be a very serious hardship.

Mr. OSLER. I quite agree with that. I speak not with the idea of enforcing them, but with the idea of getting them wiped out. It is not right to have these liens hanging over a settler for years, and I think it would be better to wipe them off entirely and get rid of them.

Mr. OLIVER. That is a very proper suggestion, and so far as I know I will act on it. I have no desire to have these matters hanging ; but while we do not want to be hard on the settler, we have never been permitted by parliament to relieve the settler from the obligation.

Further amount required for engraving, lithographing and printing maps of the Dominion and the Northwest Territories, $11,800.

Mr. OLIVER.

Mr. R. L. BORDEN. Where are these maps printed ?

Mr. OLIVER. This estimate includes the following details : map showing even numbered sections in Manitoba, Alberta and Saskatchewan, homesteaded, sold, &c., $2,500; map showing odd numbered sections in Manitoba, Alberta and Saskatchewan, granted to railways, &c., $2,500 ; mounting 1,000 copies of even numbered sections map, $800; printing and binding economic atlas, $6,000; total, $11,800.

Mr. BERGERON. I received the other day an atlas which I think is very interesting. I was told yesterday in the department that it was only a sample, and that it was not decided that more would be printed. Do I understand that that is the case ?

Mr. OLIVER. That is under the immigration branch. I think an appropriation has been asked for a larger number to be printed, and as soon as they are, they will be available for distribution.

Mr. BERGERON. At the commencement of the session I had some copies from the Department of the Interior by the courtesy of the deputy minister, and I sent some to the schools in my county, where they have been very much appreciated. The atlas is the most modern geography of Canada to be had, and is looked upon as a very good thing. If it does not cost too much money, I would urge my hon. friend to have a good many of these issued, so that they can be given to members of parliament to be sent to the different schools in their counties.

Mr. OLIVER. I think provision is made for an additional number to be printed, and I shall be very glad to accept the suggestion. I do not think they could be put to a better use.

Immigration—further amount required for salaries of agents and employees in Canada, Great Britain and foreign countries, $30,000.

Mr. FOSTER. Will the minister give us in the first place a tabulated statement of all the agents and employees whom it is proposed to pay out of this amount ?

Mr. OLIVER. New appointments : Dr. H. L. Dickey, Supt. Detention Hospital, Halifax, $1,200 ; J. H. Stanford, clerk, Que., $900 ; Mrs. S. M. Geddes, clerk, Ottawa, $512.50 ; A. C. Ecclestone, clerk, Ottawa, $800 ; D. W. Johnston, clerk, Ottawa, $800 ; Dr. G. L. Milne, Supt. Detention Hospital, Victoria, $2,500 ; Jas. Patterson, clerk, Victoria, $900; Dr. J. A. McAlpine, medical officer, Vancouver, $1,000 ; Dr. Munroe, medical officer, Vancouver, $1,000 ; Thos. Elliott, clerk, Vancouver, $900 ; Mrs. G. A. Sandberg, clerk, St. Paul, $720; O. Tessier, agent, Michigan, $1,200 ; F. J. Lange, agent, St. Paul, $1,200 ; P. Foursin, agent, France, $1,200 ; Thos. Cory, inspector, Gladstone, $1,200 ; total, $16,032.50. Increases in sala-

ries: Jos. Bernstein, interpreter, Halifax, $182.50; A. J. Havey, clerk, Ottawa, $20; Miss. K. Duff, clerk, Winnipeg, $60; D. W. McIvor, clerk, Winnipeg, $100; F. S. Longworth, clerk, Detroit, $150; C. A. Laurier, agent, Sault Ste. Marie, $300; E. T. Holmes, agent, St. Paul, $300; Chas. Pilling, agent, Grand Forks, $300; J. S. Crawford, agent, Kansas City, $300; W. H. Rogers, agent, Indianapolis, $300; C. J. Broughton, agent, Chicago, $300; Rev. M. Blais, repatriation agent, $120; C. A. Allen, clerk, London, $100; total $2,532.50.

Employees whose salaries are now estimated under salaries vote, but who have been paid from contingencies and general expenses in the past: Dr. J. D. Page, superintendent, detention hospital, Quebec, $1,800; Dr. E. Nadeau, assistant, detention hospital, Quebec, $1,200; Wm. Roth, guardian, detention hospital, Quebec, $600; Mrs. J. Marquette, a matron, detention hospital, Quebec, $480; R. W. Hillyard, assistant inspector children, Ottawa, $1,200; Miss N. O'Reilly, clerk, Ottawa, $550; James Campbell, clerk, Winnipeg, $900; T. J. and Eliza Saunders, caretaker and matron, Winnipeg, $1,200; W. Plaxton, land guide, Prince Albert, $600; C. O. Peterson, clerk, St. Paul's, $780; John Edgar, agent, ex wagon, Scotland, $1,825; Miss F. Gardner, clerk, London, $603.47; W. G. Finchan, clerk, Lindon, $603.47; Miss E. Godden, clerk, London, $423.40; E. G. Everett, clerk, London, $632.27; Miss B. Lock, clerk, London, $379.60; E. Macleod, clerk, Liverpool, $700.80; S. Salinger, clerk, Liverpool, $449.92; total, $14,927.93.

Decreases: J. C. Howe, medical officer, Quebec, $1,000; S. Porter, colonization agent in west, $1,500; Thomas Hetherington, agent, Boston, $1,200; total, $3,700.

Summary of changes: For details see next page.

Appointments, $16,032.50; increases, $2,532.50; transfers to salaries, $14,927.93. Total increases, $33,492.93; decreases, $3,700; net increase, $29,792.93.

Mr. OSLER. In connection with this estimate, although I do not want to take up the time of the House at any length, I wish to state that I have been requested by the Toronto District Trades and Labour Council to submit to parliament certain facts which they allege in connection with the Canadian immigration office in Great Britain. They have sent me this memorandum, which I dare say has been sent to the government, but I have been requested to read it, and I therefore do so:

Whereas the Dominion government has, from time to time, declared that it was its desire to oust the Leopold agency from the same building occupied by the Dominion government immigration agency, in London, England;

And whereas charges were made on the floor of the House of Commons last session that officials of the government agency at London were in league with this same Leopold, which charges were denied by Hon. Mr. Sifton, then Minister of the Interior, who invited information that would substantiate any such charge;

And whereas the Dominion government agency at London is under the charge of W. T. R. Preston, who has at various times shown his animosity towards organized labour and who has flouted the well-founded protests of organized labour against the unfair and dishonest tactics of the Canadian Manufacturers' Association and Louis Leopold, who professes to be supplied with information respecting thousands of vacancies discovered by the said association;

And whereas these vacancies exist only in the minds of the members of the said association, as has been proved by immigrant after immigrant who has been deluded into coming to Canada by the promises of immediate employment made by Leopold, on the promptings of himself and the members of the said association;

And whereas this council has evidence in its possesion, both of the connection of the government agency, at London, with Leopold and of the connection between the Canadian Manufacturers' Association and Leopold;

Therefore be it resolved, that the Dominion governmetn be requested to make immediate investigation into the charge hereby made that immigrants are deliberately and knowingly sent from the office of the government, at London, to the Leopold offices in the same building, and that copies of the statements of the immigrants concerned be sent to the government along with this resolution;

And be it further resolved, that copies of this resolution and of the said statements be forwarded to the members for the city of Toronto in the House of Commons, with a request to have the same ventilated in the House of Commons at the earliest opportunity.

In that connection there are corroborative statements from Colin A. Gunn and Wm. A. Moore, to the effect that the Leopold Agency is run in connection with the Canadian immigration office, both being in the same building. I think it may be assumed that whether these charges are absolutely true or not there is certainly something in them. This Leopold Agency does business under a name which would lead the public to suppose that they were under the direct control of this government and were acting for the government. Their office is immediately above the office of the Canadian immigration office in London, and it is stated very strongly that when an emigrant or an inquiry goes to the government office, the inquiry is referred to and the emigrant is sent upstairs to the Leopold Agency. Leopold is the man who really gives the information, and the Leopold Agency gets a very large commission from the steamship companies on all emigrants it sends to Canada. I am told that a man who makes an inquiry at the Canadian immigration office is sent upstairs to the Leopold office. I took particular pains to find out whether that was the case or not by writing to my confidential agent in London last year, and I have a report that it is the case. Therefore, I can directly, from personal knowledge, confirm

one of these charges. The modus operandi is that this office upstairs persuades the man to come to Canada, and it sells him a ticket by a certain steamship agency. It is stated that this agency is the agent for the Allan Steamship Company, but that I do not know. When the ticket is sold to the intending emigrant the agent is paid a commission by the steamship company of from $5 to $12, and perhaps more. There is an inducement to send an emigrant to Canada whether he is fit to come to this country or not, because it is immaterial to the agent what emigrant he sends so long as he gets his commission. This agency has absolutely no interest in Canada ; its only interest is to sell a man a ticket and send him out here, whether he is fit or unfit. The accusation is made very distinctly that the Canadian government agent is in partnership with the emigration office upstairs.

That statement is repeated over and over again, and the fact that the two officies are so close together and that the immigrants are sent up from the Canadian office to the upper office gives very considerable justification for the suspicion. From my own knowledge I can say that we have undesirable immigrants sent out here through that agency. I have in mind a case which came under my notice within the last month of a very undesirable immigrant, a doctor by profession, who evidently had gone down hill. He came here as he stated to me with the distinct information from this agency that any doctor coming into Canada could practice in any part of Canada without further examination. Here is a man who was probably not a success in the old country, a professional man, a man not able to make his way there, but he thought he could come out here and practise medicine anywhere. He wanted to go to British Columbia and thought probably any doctor there would be able to make a living. I think that it is the duty of the government not in any perfunctory manner, but very strongly, to see that there is no connection between the Canadian government immigration office in London and any steamship office or any steamship agent, and I am quite sure that there is a great deal of truth in the statements that have been made. I am not making the statement that there is truth in the statement that the amount is divided beween the Canadian agent and this particular agency, but the inference is quite natural that that is the case, and if it is the case as stated very openly and very clearly in this resolution which has been passed by the Toronto District Labour Council, I have pointed out that it is in the interest of this particular agency or of any other agency to send to Canada the most undesirable immigrants because they get their pay the moment they have sold a ticket whether the immigrant they send here is good, bad or indifferent, or whether or not the immigrant they send here has to be sent back by the steamship company. It opens the door for the admission into this country of the worst kind of men. I am not referring to diseased men, but to a class of men who may be landed on our shores who are unsuccessful, who have been unsuccessful in the old country, men whom their friends may send out here in order to get rid of them, and there is no way of stopping that except by a close supervision of the offices in London and by seeing that there is no connection whatever between the Canadian office and any private agency, steamship office or immigrant agency. I know further from my own knowledge that most undesirable immigrants are being sent out; men who have probably been failures in their own trades in England are sent out here on the promise that they will get immediately situations, artisans, skilled men who have been brought up at trades for which we have no opening in this country. Naturally these are men who have perhaps not been very careful of themselves in the old country, men who have skill in some particular branch of trade that we do not have in this country. It is easily seen how with that combination of Canadian government emigration office and private emigration office upstairs, which to all appearance is a part of the Canadian government emigrant office we can have people deluded by promises not made by our own agents it is true, but made to these unfortunate men who go there believing that they are our agents, and I have shown you how it is a money-making business for these people to so delude people and send to this country bad immigrants who are entirely unsuitable, and I hope the Minister of the Interior will make a point of looking into that matter and seeing that, as far as possible, this evil is stopped.

Mr. OLIVER. The matter has already been brought before the House not only this session but last session.

Mr. OSLER. True, but nothing has been done, and it may be said that the same thing is going on now.

Mr. OLIVER. Of course I have not been sufficiently long in the department to become familiar with all the facts, but I can assure the House it is the policy of the department to encourage the immigration of people who have a knowledge of agriculture and desire to engage in it, but it is not the policy of the government to encourage any such enterprises as was mentioned by the hon. member. If any such enterprise exists it is entirely illegitimate and it is entirely outside the operations of the department. Apparently these parties are taking advantage of the situation to give improper information to people. This is directly contrary to the policy of the department, and it certainly will be the effort of the department to abate the evil as thoroughly as possible and at the earliest

possible moment. At the same time there are difficulties which I am sure my hon. friend will recognize, that there are abuses and evils which we may not be able to remedy, and to remove all cause of complaint, but I can assure him every effort will be made.

Mr. OSLER. The matter was brought before the House very strongly last session and yet nothing has been done. It was again brought before the House this session, but nothing has been done. The London agency is not an agency where you get agricultural immigrants; the farmers do not go there and there is only one way to check this, and that is to see that the Canadian emigration office is not practically a branch office of private emigration concern whose sole profit is to send any man to this country no matter how undesirable he may be. That is the onus, that is the charge upon the government, and it is their duty to take steps and to stop undesirable immigration to this country.

Mr. FOSTER. I want to call the minister's attention to the fact that although the vote for immigration has been increasing tremendously in the last four or five years, this year he comes in with a very largely increased amount for salaries. The whole vote for salaries is $187,000, for agents, employees in Canada, Great Britain and foreign countries. Now, how long is the minister going on with this increase of salaried work? What is the policy of the department with reference to that, or is there no policy decided upon yet? A great many people think that with reference to immigration there are two cardinal evils. Whilst you get a very large vote for immigration, you are certainly dispensing an immense amouut of that vote on salaries of officials who are scattered everywhere. Another large proportion of that vote goes to advertisements, and then as a result of both these things, you are getting in a large number of people—and it looks now as if the number would continue to increase—a great many of whom, although good in their several ways, are not exactly the kind of people we would best like to have in our country which we want to build up as a homogeneous country, and whilst the process of assimilation will go on to a certain extent there is a point beyond which the digestive apparatus will not be sufficient to digest the mass that is thrown into it. As I said before, it seems to me that we ought to be a little more careful as to the character of the people and their distribution when they come in. Now, it does look to me as if we were approaching very closely, maybe entirely, to that point when, instead of making larger increases for the propaganda on immigration, we can afford to draw in these expenses rather than increase them. The best accretion to population and the strongest accretion we will get from this time out, is that stream which is drawn by what you may call attraction, the immigrants that have already come and made their homes with us, writing back to their friends. It is that process of attraction, through information, and actual settlement, and news going back from the new to the old country, which is drawing these large streams of immigration. That is one thing that is now commencing to act with great power. The other thing that is acting is a condition of things which lies in the fact that to-day those lands are well known, their extent, and their richness, and their productive capability are well known; and you may say that Canada to-day probably offers to the land seeker of the right type the very best field in the world. Take climate, and productivity, and easiness of conditions, and easy and inexpensive acquisition of lands sufficient for the immigrant to settle upon—all these things mark out Canada, as they become known, and they are becoming widely known. Now, the question is whether we have not gone as far as we should go in this matter of active propaganda by means of these diversified and multiplied agents. Has the minister or the department looked into that side of the question, and if so, what have they thought of the matter? One of the easiest things, as the minister will find out, is to add to the clerks and immigration agents. The pressure is interminable, and it is a constant struggle, I imagine, to bear up against it. It is a different thing and a harder thing to keep these men up to their work and to make sure that they are giving good work for the pay they are getting. But with reference to the first point I mentioned, what is the idea at the present time of the department over which my hon. friend presides, and his own idea, if he has formed any, with reference to the policy of the future in this respect?

Mr. OLIVER. The remarks of the hon. member (Mr. Foster) are quite appropriate. The fact that the immigration expenditure is increasing from year to year deserves careful attention, and I beg to assure the hon. gentleman that it will receive the most careful consideration at my hands. At the same time, the House and the country are aware that the campaign of publicity which was entered upon some years ago by the immigration branch of the Department of the Interior has been productive of very substantial results, results which are great materially, and morally as well. It is not so many years ago since the hon. minister himself, standing on this side of the House, would scarcely have used such sweeping commendation of the resources of Canada as he has used to-day, or if he had, he would have received

a very faint endorsation from the large majority of members of this House. The campaign of publicity entered upon by the immigration branch of the Interior Department some years ago has not only revealed Canada to the world, but it has revealed Canada to Canadians themselves, and has thereby been of great advantage to Canada, morally as well as materially. When a policy has been so successful as this policy has been in all its particulars, and in every branch, it is less subject to criticism. But my hon. friend will understand that to undertake to lay down a contrary policy from that which has hitherto been followed, is a serious responsibility not to be entered upon without most careful consideration, even by those who disagree with that policy, and still less by those who do not disagree with it. In regard to the character of the immigration and a possible change of direction of immigration effort, I think it is reasonable to say that as conditions change the direction of effort may very well be changed also. In the days when the Northwest Territories of Canada did not attract even the attention of Canadians for settlement, it may have been necessary to look further afield for settlers than is necessary to-day, when the Northwest is attracting the attention of people all over the world, the best people in the world, and it is admitted universally that we have the best things to offer, the best field in the world. Under these circumstances, it is quite proper to consider the desirability of adapting our future efforts to the changed conditions; and while the same energy may be necessary in attempting to secure the best class of immigrants, the effort may very well take a different direction from what it did when the country was not so well known.

The policy of the Immigration Department, as I have understood it, has been to enter upon a campaign of publicity to get before the world the advantages of the Northwest as a field for settlement, to give the best possible facilities for the placing of settlers upon the land, and for handling their dealings with the government to the best advantage to these settlers. That has been the policy of the department in the past, it is the policy which has been successful and it is the policy which will be pursued in the future. Alterations in that policy in detail may be made according to changed conditions, but I think I may go as far as to say that it would be my effort to continue the vigorous campaign of publicity which has been carried on and to carry on the system of facilitating settlement, the placing of settlers upon the land and providing all possible advantages in connection with their dealing with the government. Whether it shall be necessary to still further increase the requests to parliament for funds or not I cannot say. I am sure that while it is the desire of the government, as it is the desire, certainly, of myself, that all duties shall be discharged with every attention to economy and efficiency, I am still assured that the government will not hesitate to take the responsibility of asking parliament, and I am sure that parliament will not refuse the request if it shall be seen necessary to still continue the work, for a large appropriation in the interest of immigration.

Mr. FOSTER. All I can say to my hon. friend is that from this time on he will find parliament, whilst disposed to do everything which is reasonable, fair and necessary for inducing proper immigration into this country, more and more opposed to the multiplication of a vast horde of employees, the utility of which from this time on will be more and more doubtful. But it is impossible to discuss that question now. The hon. minister will have some time to think over the whole matter and I hope he will be able, although it will be a heavy undertaking, to make himself familiar with the work so that when we meet next session we may be in a better position to discuss the question with a full knowledge of the subject. In the meantime I beg to move:

That this vote be diminshed by the amount of $900 being the salary of Robt. Nixon who has been reported upon examination to have been guilty of embezzlement of public funds and malfeasance in office.

Mr. OLIVER. In regard to the motion and in regard to the general question I think it is very proper to move in the direction in which the hon. gentleman has moved. If we are to have publicity, if we are to have the handling of the facilities given to the immigrants, if we are to deal with them satisfactorily in the difficulties of their settlement, we have to have officials and we have to have money to pay these officials. It is not a question of how much money is required or how many officials are required. It is how much need there is for the money and how much need there is for these officials, how the money is to be spent and how the officials conduct themselves. To quote a case in regard to a certain official or set of officials, is, it seems to me, a proper way in which to criticise the action of the department. With that I have no fault to find, but on the general question of necessity of large expenditures, I am afraid that the time has not yet come when it is possible for the government to declare that it will, without further consideration, reduce or cause to be reduced that expenditure. We still have a large area to fill up. We still have large requirements, we have railways under construction and the success of these railway enterprises depends upon people settling on

these lands at an early date. It is therefore necessary that if we are to slacken in our efforts it shall be not now, but in the future so that the best interests of the country shall not thereby suffer.

Mr. FOSTER. Next session we will, I hope, be able to take up this vote at a reasonable time. I would like, and I think the House would like, when we are paying $187,000 for salaries to individuals in this way, to have a very full report of the work of each one of these gentlemen and the success which has attended him. They are scattered all over Europe, America and Canada and we will require next year a pretty detailed statement in the form of a report as to just what results are being received from the services of these people, more particularly in reference to those whom you may call propagandists, who are sent to France, Denmark, Austria and other places. We want to know just what is coming in for the amount of money that we are expending, and whether there are some regions that are being cultivated that we might drop out and others that we might perhaps add. This House is in favour of having people come into Canada just as rapidly as is consistent with two things: our power to assimilate them and the quality of the immigrants who come to us.

Mr. STOCKTON. The hon. Minister of the Interior has stated and properly so that there has been a campaign of publicity in the department over which he presides for some time past and that in consequence of that the prospects in Canada for those wishing to seek new homes have been painted as brightly as possible. There is naturally a desire in centres of population for people to come here and become Canadian citizens. Now, is it not possible that we have cultivated that campaign of publicity so greatly that the time has come when we should exercise a little more care as to the quality of the immigrants brought into the country? I have a feeling—it may be entirely wrong—that we are not having the same care as to the quality of the immigrants brought into the country, not the same inspection as they have in the United States. I know that a large number of these immigrants come into the country at the port of St. John. I am aware that the officials of the Interior Department are of the opinion that the inspection of and supervision over immigrants coming into this country are better than the inspection of and supervision over those coming into the United States. I do not agree with that opinion, Mr. Chairman. Prior to Confederation the upper provinces charged $1 per head upon immigrants coming into this country. It was not paying immigrants to come here, but there was a charge per head levied upon those coming in. In New Brunswick a charge of 50 cents per head was made upon immigrants coming into that province. I may be entirely wrong. We have large areas of country, but we want no immigrants who will not assimilate with the general Canadian population, and I call the attention of the minister to the fact that greater care must be exercised towards the quality of the immigrants coming in. The quantity may be desirable, but the quality is more desirable still.

Mr. W. J. ROCHE. I renew a question I put to the Minister of the Interior yesterday as to the policy of the government in regard to bonusing steamship companies. In the light of past experience, does the minister think it is a wise policy for this government to continue?

Mr. OLIVER. That is a very important question. This bonus forms a large portion of our immigration vote and it will certainly have to be the subject of very careful consideration. It was the policy of the late government continued by the present government, and I do not feel myself in a position to make a declaration on the policy now. I recognize the importance of it as well as my hon. friend, and in connection with other immigration matters I will give my best attention to that point and be able to make a statement later.

Mr. W. J. ROCHE. The reason I renewed my question is that the minister stated a moment ago that the immigration policy of the government was in all particulars and in every branch a great success. He seems rather uncertain now as to whether the steamship bonus is a success or not. But because it has been continued for some years he says he will hesitate before doing away with it. In 1904 he seemed to think that this steamship bonus was not a very good thing and so far as that is concerned he had his mind made up. I quote from 'Hansard', 1904, page 323. The Minister of the Interior gave great praise to the government for sending farm delgates to the old country and he said:

> I think we all agree that the system previously followed of resident agents in the old country was very largely a failure.

That is one feature of the policy of the government that met with his condemnation then:

> We must admit that the practice of paying the companies a steamship bonus was largely a failure.

The hon. gentleman (Mr. Oliver) was strongly convinced in 1904, not so very long ago, that this bonus was a failure. Has the acceptance of office so modified his views that in 1905 he did not know whether to continue or discontinue that failure. He said further:

Both these systems were failures for obvious reasons, I believe that by bringing in contact with the agricultural population of the British Isles successful farmers of this country there is a reasonable possibility of securing that class of immigrants we most desire. In fact I think that a very large part of the money that has been hitherto spent for immigration purposes in the old country, both in the employment of permanent agents there and in paying bonuses to steamship companies, was money absolutely thrown away or worse than thrown away.

Has the hon. gentleman modified his opinion on that since he has become Minister of immigration? The hon. member for Jacques Cartier (Mr. Monk) put a question with reference to this matter this session, the minister's reply shows the following bonuses:

Bonuses on immigrants from United States	$14,428 25
Bonuses to steamship agents and sub-agents and immigration societies on British immigrants	43,220 63
Bonuses on Icelanders	2,104 81
Bonuses on domestic servants	1,088 00
Bonuses on immigrants from Great Britain at $2 each	246 00
Bonuses to philanthropic societies on children from Great Britain	2,608 01
Bonuses on immigrants from continent of Europe	35,316 66
Total	99,012 35

While I cannot condemn the bonus given to immigration from the United States or Great Britain I do think there is too much discrimination shown inasmuch as the government are paying one pound sterling for each immigrant from continental Europe and only $1.75 or $2 for those coming from the British Isles. In regard to this new contract which the government have signed with the North Atlantic Trading Company to bring immigrants from continental countries, I notice that the Winnipeg 'Free Press,' an organ supporting the government, publishes a cable from the 'Evening Globe' of London, England, referring to the contract in the following language:

London, June 26.—The 'Evening Globe' referring to the contract between the Canadian government and the North Atlantic Trading Company, says we can only assume the new contract has been negotiated without a proper consideration for the existing arrangements between the mother country and Canada. It is simply unbelievable that the Ottawa parliament should openly flout and scorn the surplus population of the United Kingdom, as unsuitable for Canadian purposes.

The deduction drawn by this paper is that there is a discrimination in favour of immigrants coming from Galicia, Roumania and these other countries as against British immigrants. I refer to the contract between the Canadian government and the North Alantic Trading Company, the members of which we do not know. I do not know whether it was Mr. Preston representing the government in the old country or whether it was the department here that entered into this contract, but probably the minister will give us information on that score. I understand a copy of the contract has been sent to my hon. friend from Lennox (Mr. Uriah Wilson). I desire also to endorse the sentiments expressed by the hon. member for St. John (Mr. Stockton) with reference to the quality of the immigrants we are getting. Many of these immigrants are of a most undesirable class and they have been induced to come to this country through the offer of that bonus. As the Minister of Finance stated in his budget speech a large amount of money has been sent home by immigrants to the motherland to bring the friends out to settle in this country, and these are the very best immigration agents we could have. A great deal of the crime committed in Winnipeg has been attributed to the foreign residents of that city, and I shall read to the House the finding of a jury in Winnipeg and the rider to that verdict in connection with the murder of a citizen by some of these foreign immigrants:

'We the jury empanelled to inquire into the death of George King find that the deceased George King came to his death by and from blows received by him from one or more Galicians on Sutherland street in the city of Winnipeg on Tuesday, January, 7, 1905, and we recommend that Fred. Swreda, Ivan Roga, Fred Roga, Roman Censor, Chnad Lasaruk, Stevan Stodola and Benko Slobotian to be held for further examination.'

To this verdict the jury added the following rider: 'And this jury wishes to place on record its opinion that it considers the importation of undesirable immigrants from Southern Europe, of which we find so many amongst us in this province and in Winnipeg in particular, to be most undesirable and should be discontinued in the best interest of this country. We find that most of the serious crimes such as we are called upon to investigate this evening are committed by this foreign element in our midst.'

The following are the names of the coroner's jury. D. A. Ritchie (foreman), W. J. Kennedy, P. Bowman, J. Willoughby, C. W. Brown, W. A. Williamson, C. Todd, S. Elliott, J. A. Parks, H. C, McQuarrie, T. S. Hallam, G. E. Tuck, A. H. Turner and R. H. Hanlay.

I have read the names of the members of the jury. It is an opinion, not from a party point of view and it shows how necessary it is for the department to exercise more discrimination in the character of the immigrants they bring here.

Mr. OSLER. Who negotiated that contract with the North Atlantic Trading Company

Mr. OLIVER. The original contract was made by the High Commissioner and the revised contract was made two years ago by Commissioner Prescott on behalf of the Department of Immigration.

Mr. FOSTER. Who is the company with whom the contract was made ?

Mr. OLIVER. Some time ago I stated to the House that there were certain features of the contract which it might be undesirable to make public, that I would be willing to place it in the hands of the leader of the opposition or any of his followers, and that if they then demanded its production, it would be laid on the table, but that we did not think it desirable to publish it. I think my hon. friend the leader of the opposition, knows the terms of the contract, and the hon. member for North Toronto (Mr. Foster) might consult with him.

Mr. FOSTER. Was any authority given Mr. Preston to enter into such a contract ? What is its duration, what are its terms and with whom was it made ? I always am suspicious of those contracts, involving public expenditure, which are made by officials of the department and cannot be submitted to parliament.

Mr. OLIVER. If the hon. gentleman would be good enough to consult with his leader on the subject, I think it would be better.

Mr. FOSTER. May not the questions I put be answered ?

Mr. OLIVER. Unfortunately not.

Mr. FOSTER. What is the name of the company ?

Mr. OLIVER. The North Atlantic Trading Company. If the hon. gentleman, on the responsibility of his leader, will insist on the contract being produced, I shall produce it.

Mr. FOSTER. I do not want to sit on a heap of dynamite with a fire near it. What are the terms of the contract ?

Mr. OLIVER. The company received one pound per head on immigrants passing through their hands from all countries of Europe except France and Belgium.

Mr. FOSTER. Does it take in Turkey ?

Mr. OLIVER. No, nor Italy.

Mr. FOSTER. All these states along the border between Russia and Turkey ?

Mr. OLIVER. If the hon. gentleman will confer with his leader——

Mr. FOSTER. All countries except France and Russia in Europe.

Mr. OLIVER. Not including Turkey, Greece, Italy and Spain. It includes Austria, Germany, Russia, Denmark, Norway and Sweden and Holland—the countries in fact from which it is desirable to draw immigration but whose laws do not permit the activity of a foreign government securing immigration.

Mr. FOSTER. No limit to the amount ?

Mr. OLIVER. In no country is the amount to exceed 5,000.

Mr. FOSTER. That is for one company?

Mr. OLIVER. Yes.

Mr. OSLER. Has that company an agency in London ?

Mr. OLIVER. No, its headquarters are in Amsterdam.

Mr. OSLER. Is Mr. Leopold not their agent ?

Mr. OLIVER. No, he has no connection with it.

Mr. FOSTER. What authority was given to Mr. Preston to make the contract ?

Mr. OLIVER. He was not the original maker of the contract. The original contract was made by the High Commissioner, but the revised contract was made by Mr. Preston.

Mr. OSLER. Is it on the same terms as the original ?

Mr. OLIVER. Not exactly. The same bonus is paid but the new contract contains a limitation with regard to the number of a certain class of people.

Mr. O. E. TALBOT. I heard the minister say he had a contract with a company and that France and Belgium were excluded. What is the reason ?

Mr. OLIVER. Those countries do not prohibit the activity of foreign governments, and we have our own agents there as we have in Great Britain.

Mr. FOSTER. What is the duration of the contract ?

Mr. OLIVER. The existing contract is for ten years from the 28th November, 1904, and it may be terminated on four years' notice.

Mr. BERGERON. When was the first one made by the High Commissioner ?

Mr. OLIVER. Under the late government for many years a bonus was paid on certain immigrants. In fact the bonus at that time covered wider proportions than the present one, as far as the continent is concerned. A bonus was paid to the local agents who did nothing but sell the tickets, who did not even distribute the literature provided by the government. The department is very anxious to attract settlers, and in order that satisfactory work might be done, some six years ago the matter was discussed with the leading steamship agents. In the contract it was provided that all the publications and other government advertisements would be circulated by these agents, and in the case of Scandinavia a special inducement was offered by way of a grant of seven hundred and fifty pounds, provided the syndicate fulfilled certain conditions.

Mr. R. L. BORDEN. With regard to the terms of the document, I do not know that there is much in it that is not already published in the press. Here is what appears in a telegram to the 'Times':

The government entered into a ten years contract with the North Atlantic Trading Company, of Amsterdam, to embark upon an extensive plan of immigration work from Holland, Denmark, Norway, Sweden, Russia, Finland, Germany, Austria-Hungary, Luxemburg, and Switzerland. The government will pay the company a bonus of one pound for every man, woman, and child of the agricultural class and every domestic servant over 18 years of age arriving in Canada from any of the countries named. From Galicia, Bukowina, and Poland the number of immigrants in any one year on which a bonus will be paid is restricted to 5,000. For special work in Norway, Sweden, and Finland the company receives an additional grant of seven hundred and fifty pounds annually for three years.

I do not know that there is anything in the agreement that may be regarded as confidential or not desirable for publication which is not contained in that telegram. I do not see any great objection to placing the contract on the table.

Mr. OLIVER. The impression I had was that the publication of the names of the persons with whom this arrangement was made might lead to embarrassment.

Mr. R. L. BORDEN. That is not in the contract I have.

Mr. OLIVER. The difficulty is that some of the continental nations have placed great obstacles in the way of immigration, and it is quite possible that some of these people, in trying to serve Canada, have got themselves into difficulties and we should not allow them to do so.

Mr. BERGERON. Is that immigration desirable?

Mr. OLIVER. It has been considered so. It comes from Germany, Switzerland, Austro-Hungary, Russia, Denmark and Norway and Sweden.

Mr. BERGERON. I have seen some of these people dressed in furs when we were having a temperature from 85 to 90 degrees, and it struck me they were not very desirable.

Mr. FOSTER. What conditions are imposed on these immigrants? Of course it would be in the interest of the syndicate to bring in as many as possible. The quality of the individual makes no difference to them provided they get paid.

Mr. OLIVER. The agent questions each individual as to his occupation, and the immigration from the countries mentioned is restricted to the agricultural population.

Mr. AMES. Suppose any are found suffering from disease, have we any arrangement for a refund?

Mr. OLIVER. In such cases the bonus is not paid.

Mr. AMES. The bonus is not paid until the immigrants have arrived and are accepted as such?

Mr. OLIVER. Yes.

Mr. BERGERON. How many have been deported already?

Mr. OLIVER. I have not got that information.

Mr. OSLER. How long has the contract been running?

Mr. OLIVER. Since 1903.

Mr. OSLER. How many have come in under the contract?

Mr. OLIVER. I have not the information under my hand.

Mr. OSLER. How much has been paid by the government?

Mr. OLIVER. We paid last year $87,000 on continental immigrants which covered the immigration for three years.

Mr. OSLER. Can the minister say about what proportion of children there are coming in under the present contract? Under this contract this country might be used as a dumping ground for all the waifs and strays of the continent. You might have to pay a man and woman for bringing out 10 or 12 children under that.

Mr. OLIVER. There is no arrangement to accept children except as members of families.

Mr. OSLER. How can you tell with that class of people?

Mr. OLIVER. We cannot, we have to accept them.

Mr. OSLER. It is the same with regard to whether they are farmers or not. There is one important point in connection with this contract. The minister said it was practically a renewal of the old contract What is the date of the first contract?

Mr. OLIVER. The first contract was made about 6 years ago and I am satisfied it was for a term of 5 years.

Mr. OSLER. Made by this government. The minister led us to believe that the renewal contract was practically the same as the original.

Mr. OLIVER. There are certain limitations.

Mr. OSLER. There are certain limitations and one of these limitations is the key to this whole question. The minister stated by a slip, apparently, that in the old contract the bonus was simply for agricultural people. The whole difference

between the two contracts and the essential difference is that this is a contract for anybody. All they have to do is to say that they are agricultural people.

Mr. OLIVER. That is all they ever had to do.

Mr. OSLER. Under this, a man and his wife, a man and a woman may come out here with eight or nine children, they say they are agricultural people and how can you tell ?

Mr. OLIVER. The renewal contract was exactly the same in the original as in the present contract.

Mr. OSLER. Did it include children ?

Mr. OLIVER. Certainly.

Mr. OSLER. As to most of these immigrants being agriculturists what evidence has the minister to that effect ? Is there any evidence to show that these people have gone on to farms ?

Mr. OLIVER. Of course I have not the evidence here, but every one who resides in Manitoba or the west who knows that country is aware that there is a very large population from the continent of Europe settled on farms and that the proportion found in cities is very small.

Mr. OSLER. Are those the people brought in under this contract ?

Mr. OLIVER. Certainly.

Mr. OSLER. Because I can tell the minister that in Toronto the increase in the number of these undesirable immigrants is so enormous that it is attracting the attention of everybody, and I see a statement was made the other day that one particular class have I think quadrupled in the last two years and they expect to have a percentage of ten per cent of the population of the city within the next five years.

Mr. OLIVER. What class ?

Mr. OSLER. That statement was made by one of the Rabbis of the Jews. Those are not the people I am referring to but all over Toronto there is a class of people, small in statue, with yellow beards, who are going around the town simply as hawkers. York Street and two or three other streets are simply infested with these people, living 6, 7, 8, 9, 10, 15, in a house, and you cannot go into any part of the town without seeing these people going around for bones and rags. I venture the statement that of the thousands of these who have gone into Ontario you will not be able to find one half of one per cent on the farm. These are the people I feel confident on whom the government of this country are paying the bonus.

Mr. OLIVER. What nationality.

Mr. OSLER. Oh the Lord only knows, but they are the most undesirable looking men. If the minister comes to Toronto and takes any one street he will find these people over the whole place, I may say by the thousands, and they are the most undesirable looking men you can get into this country. I say that none of these men are going on farms or into farm work. If these are the people who are brought in under this contract the country is being deluged to an extent that is alarming. I think a ten years' contract of this kind is a mistake. It is true that there are limitations for four years, but the four years will soon slip by and then there is practically the balance of the ten years during which the government cannot get out of the contract. The immigration policy of the government may entirely change before ten years, and I think altogether, as far as we have been able to get information as to the contract, it is most undesirable.

Mr. OLIVER. I do not think it is altogether fair to hold this particular contract or the Department of Immigration responsible for the presence of this particular class of people who seem objectionable. Everybody knows that when the immigrants reach the continent of America by whatever port they come, those who are city people go to the cities. There is no doubt that the cityward tendency is strong in regard to certain races and nationalities. The people alluded to by the hon. member are, I understand, known as Syrians. They do not come within the range or scope of operation of this contract at all, and I think it would remain to be proved that this agreement or this Department of Immigration is in any way responsible for their presence in the country. They are a money making people who possibly are able to pay their passage in the ordinary way and they go to the towns as they naturally are town people and not country people. But the people who come from Austro-Hungary as well as the Scandinavians, the Germans and the Russians, are as every one who knows the west is aware, essentially agricultural and their one object in life is to get on land of their own. The proportion of these in the towns is very small and of those who are in the towns their residence there in the large majority of cases is of the most temporary character, until they can get sufficiently ahead to get out on their own land.

Mr. R. L. BORDEN. How is it that the government entered into a ten years contract in regard to a matter of this kind ? I do not know that they have any more authority to enter into a ten years contract than into a 100 or 1,000 years contract. The

proper course would be to enter into a contract such as is authorized by the appropriations of parliament. It may be a desirable thing to have a contract for a number of years; but if so, it should be submitted to parliament in the first instance, and the authority of parliament obtained. This contract is obviously quite unauthorized.

Mr. OLIVER. The same remark would apply to the contract made six years ago by the commissioner. If any impropriety has been committed, it is not greater now than it was then.

Mr. R. L. BORDEN. As if two wrongs would make a right. I want to call the minister's attention also to the circumstance that this contract has provoked a good deal of adverse comment in Great Britain. For example, one English journal has said :—

The Canadian government now is reported by the 'Times' to be about to plainly advertise to the world that Canada estimates every German, Russian, Scandinavian or Italian worth three Englishmen or Scotchmen, by granting, so the 'Times' says, a bonus of a pound per continental immigrant against seven shillings and sixpence only per British immigrant.

Another journal says :

The Englishmen want an answer to a plain question. Does Canada estimate one Pole or Russian worth three Englishmen or Scots for the upbuilding of the Canadian nation?

Then follows the explanation which the minister has just given. It is in these words :

An official explanation is made in the press from the office of the Canadian Immigration Commissioner to the effect that Canada passes over one pound per head for the continental immigrants because the North Atlantic Trading Company does its own advertising and publishes its own literature in seven languages, and generally carries on its own propaganda, all of which the Canadian government pays for in England.

I think that is substantially the explanation the minister has made. But there is this observation made in regard to it :

To this statement the reply is made by the Allan and other steamship lines that far larger sums than the North Atlantic Trading Company will spend, has for many years past been spent in the British empire immigration propaganda without any special immigration bonus. Such expenditures are common practice among all European and American steamship and railway concerns, but that in no way can justify the government in the payment of three times as great a bonus on continentals as British settlers.

There seems to be force in that criticism. It is very unfortunate if the government has contrived to spread abroad in Great Britain the idea that immigrants from the continent of Europe are preferred in Canada to immigrants from the British Isles. I know that many immigrants from the continent of Europe are very good immigrants, especially those from the Scandinavian countries, who, I think, are found to do very well in our Northwest, as well as in the northwestern part of the United States; and there are other nations who send us very good immigrants. But after all, immigrants from the British Isles should, I think, not be placed behind those of any continental nation; other things being equal, I would think they ought to be preferred. But this arrangement, on the face of it, certainly does seem to give the preference to the continent of Europe, notwithstanding the explanation that has been made by the Minister of the Interior. I would like to ask the minister if he can tell, taking the period for which he has the last return, how many immigrants have come in from the British Isles and how many from the continent of Europe?

Mr. OLIVER. I have not the return here, but I am informed that the total immigration for the last fiscal year will be about 150,000, in about three equal parts, from the continent, from Great Britain and from the United States.

Mr. BERGERON. How many of these go to the States?

Mr. OLIVER. The government has no means of finding that out. I have no doubt that a great many of these immigrants do go over to the States. When we remember that there are over 1,000,000 people born in Canada who now live in the States, a large majority of whom are citizens in that country, we can hardly expect to prevent some of our immigrants from crossing the boundary line.

Mr. BERGERON. But is anything being done to prevent these immigrants for whom we pay, going over there, and if they do, do we get the money back?

Mr. FOSTER. Can the minister state the names of that company? Is it a steamship company or is it an aggregation of steamship companies, or is it simply a syndicate which goes into this business? If it is a syndicate, what hold has the minister upon the amount of advertising it must do? It is not sufficient to say that if they do not advertise they will not get the immigrants, because you are giving a large consideration, between $1.75 and $5, for the sake of sowing information. We may be getting a large number of immigrants, and they may not be carrying on a campaign of publicity to any large extent. What guarantee then has the government as to the campaign of publicity?

Mr. OLIVER. I suppose, in the first place, the best guarantee is the number of settlers coming out under their auspices. But besides that, the agreement requires that the company shall submit vouchers for

the year of the expenditure in publicity, in advertising and printing, up to $15,000; as a matter of fact they have submitted vouchers up to double that amount.

Mr. BERGERON. Is Mr. Preston a member of that company ?

Mr. OLIVER. He is not supposed to be. He is not a member of it, with the knowledge of this government.

Mr. TAYLOR. Are they a steamship company, or a syndicate ?

Mr. OLIVER. They are a syndicate of steamship agents.

Mr. HERRON. What is the policy of the government with regard to placing these immigrants ? It is generally supposed in the Northwest that where a large number of these people settle, it has the effect of driving our own people out of the settlement. I do not know whether it is a positive fact or not, but it is generally stated throughout the Northwest Territories that we are getting a large class of settlers of that kind and that they have the effect upon our present settlers to which I have referred. If we are getting that class of settlers there I think surely it is time the policy of continuing to spend our money so freely to bring that class of people in should be changed.

Mr. OSLER. I will move on going into supply, seconded by Mr. Ames:

That in the opinion of this House it is advisable to give notice of the government's intention to terminate the agreement with the North Atlantic Trading Company in accordance with the terms of that agreement.

On the amendment (Mr. Foster) being put,

Mr. FIELDING. This is undertaking to pass judgment in regard to a case, which, I understand, is still under investigation and it is rather a curious form of procedure. Hon. gentlemen may form their opinions as to the matter, but to undertake to say when it is still under inquiry that this man is to be dealt with in this way is not reasonable. I think it is hardly fair and I do not think the hon. gentleman has before him the information which will justify him in reaching a conclusion.

Mr. FOSTER. I have no hesitation in saying that the evidence is absolute on the report of such who was appointed by the minister himself that Nixon embezzled $400 or $500 of the public money, that stubs disappeared, that receipts were withheld, that books were destroyed, or lost, that alterations were made in applications and that a number of other things were established without a shadow of a doubt on the statement of Mr. Leach himself. If the government propose to carry on the investigation still further well and good; let them drop the salary of this man in the meantime and drop him as an officer until he clears his skirts of that which Mr. Leach reports him guilty of, but as long as the government keeps this man in this position so long will there be warrant to make a protest against it. There is a similar one coming on in reference to the postmaster at Thessalon.

Mr. FIELDING. Shortly stated my hon. friend's contention is that we must find a verdict on a subject which is at present under inquiry.

Mr. OSLER. In the meantime do not give him public employment.

Mr. FIELDING. If he is in the government employment and his actions are the subject of inquiry that inquiry must be completed before he is dismissed.

Mr. FOSTER. The hon. minister says: We want this man kept in the government employment, but it is not the kind of employment as that in which the money was stolen and after all this malfeasance in office takes place and before the minister has his skirts cleared he appoints him and is now asking us to give a salary for another appointment. Keep your man off until he shows himself to be honest and do not try to foist upon us a man whom your own officer informed us was guilty of malfeasance.

Mr. FIELDING. The general principle that a man is obliged to show himself honest is not a correct one. Some one must show that the man is dishonest. The presumption is not to be against the man especially in a matter which is at present under inquiry.

Mr. FOSTER. Did my hon. friend ever read the report of Mr. Leach?

Mr. FIELDING. I heard the discussion.

Mr. FOSTER. But you never read the report. The report is as clear as pen and ink and the English language can make it. The only thing that can be done in fairness by the government is to suspend the man until the whole of the facts are brought out, but instead of doing that you want to come down and get a certificate that he is a right and proper person to be entrusted with a public office.

Mr. FIELDING. My hon. friend need not sign the certificate. We will not hold him responsible.

Mr. HAGGART. A charge is made against this individual which the government has thought of sufficient importance to justify it in holding this investigation. The general principle is that the person under suspicion is suspended until the inquiry is completed whether he is found guilty or not. Has this person been suspended?

Mr. FOSTER. No, he has got more salary.

Mr. R. L. BORDEN. I did not understand from the hon. Minister of the Interior when we were discussing this question that any further inquiry was to be held; in fact, he carefully guarded against saying that any further inquiry was to be held. If the inquiry has been completed the evidence shows that he is guilty; if it has not been completed he should not have been appointed to another office.

Mr. OLIVER. The hon. member for North Toronto (Mr. Foster) asked a number of questions with regard to returns in the office which could not be procured here and we had to get them at the office at Macleod. We therefore sent Mr. Leach out to get these returns and to make such other inquiry as I have already stated.

Amendment (Mr. Foster) negatived; yeas, 25; nays, 51.

Mr. DEPUTY SPEAKER. Shall the resolution be carried?

Mr. FOSTER. No, Mr. Chairman, we are just now coming to the main point which was under discussion yesterday, that without a vote the minister has put on an establishment of $6,300 in official salaries alone in Vancouver and Victoria while the House was in session and that it is unquestionable that he has no authority in the law to do that. We have not had from the minister to-day an answer to this.

Mr. OLIVER. It was stated yesterday that there was a proclamation bringing into effect the Act authorizing this action to be taken. I have here a report of the committee of the Privy Council approved on the 15th August, 1902. Will it be necessary to read it?

Mr. FOSTER. Yes, I would like to have it read:

Mr. OLIVER (reading):

On a report dated 26th July, 1902, from the Minister of the Interior, submitting with reference to the provisions of the Act, chapter 14 of 2 Edward VII., intituled an Act to amend the Immigration Act, and in view of the large numbers of immigrants who are now coming from foreign countries to Canada and to the United States via Canadian ports, that it is expedient and necessary that a proclamation be issued forthwith, in accordance with the provisions above referred to, prohibiting the landing in Canada absolutely of any immigrant or other passenger who is suffering from any loathsome, dangerous or infectious disease or malady, whether such immigrant or passenger intends to settle in Canada or only intends to pass through Canada to settle in some other country and whom the Minister of the Interior or officer to whom he entrusts the matter, considers should be absolutely prohibited from landing in Canada for medical treatment, only for such period as such minister or officer may deem reasonable and sufficient to effect his cure, and authorizing such minister or officer to take such action at the expiration of such period, if any such immigrant or passenger so permitted to be landed for medical treatment is not then cured of the disease or malady from which he is suffering as may be necessary and as can be taken under the provisions before referred to, to return such immigrant or passenger or to compel him to be taken on board the vessel from which he was so temporarily landed, and having so returned him or compelled his return to such vessel, prohibiting his being again landed in Canada.

The minister therefore recommends that a proclamation in such terms be issued forthwith and that the Minister of the Interior be authorized to give any officer to whom he may entrust any action arising under such proclamation and the provisions before referred to, such instructions as he may deem advisable and necessary for the conduct of such action in accordance with the terms and intention of such proclamation and provisions.

The committee submit the same for approval.

Mr. FOSTER. Will the minister now give his legal authority for undertaking this business as Minister of the Interior, rather than leaving it to the department under which the public health is?————. While the minister is waiting to answer that, will he give the information he was not able to give last night as to the number of immigrants that entered at Vancouver and Victoria, and as to the number of cases which have been treated by his officers that were appointed, from May up to the present? Tell us the conditions which made it necessary that a costly establishment of that kind should be maintained there?

Mr. OLIVER. I need not read the names of the steamers, but on September 28th (from Australia), 3 deported; October 16th, Japan, 1; October 18th, Japan, 4; October 24th, Japan, 2; November 1st, Japan, 2; November 1st, Japan, 5; November 4th, Japan, 5; December 1st, Japan, 1; December 1st, Japan, 1. From the 24th of September to the 30th of April, 1905, 78 persons were deported at Victoria. From September 29th, 1904, to June 27th, 1905, 236 persons were detained and 43 deported at Vancouver.

Mr. FOSTER. Is the minister able to show his legal authority for undertaking this work as Minister of the Interior?

Mr. OLIVER. I understood that what was wanted was the Order in Council placing diseased immigrants under the control of the Interior Department, and that I have given. This is the third time a similar vote has come before parliament, and I never suspected that it would be necessary to produce the line and letter of the authority. If the hon. gentleman requires more information on the subject, of course I will have to procure it.

Mr. FOSTER. Although it is a good thing to see that the health of passengers coming into this country should be carefully looked after, and that no infirm and unsuitable persons should be allowed to remain, yet I take the position that this is not a matter that the Minister of the Interior, in conduct-

ing his immigration work, was supposed by this parliament to do. The whole trend of the discussion last session was with reference to the immigration which was under the control of the Department of the Interior, and that where immigrants came to Canada in large numbers we should have as cheap and as effective machinery as possible to see that only suitable immigrants were admitted. But we find that in the interim the minister establishes expensive machinery on the Pacific coast, where there is no current of immigration, where passengers come and passengers go, but which cannot be referred to as ports to watch the flow of immigration that comes. It was naturally expected that this efficient machinery would be placed at the Atlantic ports. The minister has broadened that idea into the view that he is to look after the public health of the country, and whereever there is a possibility of any passengers coming into Canada he is to put on separate machinery to see that certain undesirable persons are not allowed to come in. We have a Department of Public Health expensively run and most liberally equipped to do that, both at our Atlantic and Pacific ports. Yet we have the Minister of the Interior butting into that general administration as to the health of the country, and putting on an independent and somewhat costly establishment of his own. In the interests of economy, why should not the enginery that is there at present, with maybe some slight addition, if necessary, do that work ? That is a point which I wish to make, and I think the minister entirely misapprehends the intention of parliament when he undertakes to go outside of protecting this country from the immigrants he is bringing in with reference to these diseases. It is not economical, that is certain. For Chinese immigration he has two or three high-priced officials. I protested against their being kept on to the First Minister, and he thought, even though there was Chinese prohibition, that it would be wise to keep them for the present. Then we have the quarantine establishment and the customs officers ; so that it would seem to me that with these agencies, with a slight addition if necessary, all this could be done, and the minister would not be looking after a portion of the public health which I do not think parliament understood he was to take charge of, thus duplicating what is being done with efficiency by another department of the government.

Mr. OLIVER. I do not quite understand the position the hon. gentleman takes today. He asks what authority the Interior Department has for undertaking this work. I quoted the document which expressly gives the authority to that department. That was made not in 1905, but in 1902, and it seems rather late in the day now to make a protest on legal or technical grounds, while of course protests on grounds of policy or economy are always in order.

Mr. FOSTER. What machinery had the minister up to 1905 ?

Mr. OLIVER. We have not the same machinery on the Pacific coast that we have on the Atlantic, but it is the same class of work. The hon. gentleman is objecting to operations on the Pacific coast which we endorsed on the Atlantic coast. We are administering for both coasts in regard to the health of the public. The hon. gentleman admits that the Department of the Interior under this Order in Council is entitled to take measures on the Atlantic coast, to deal with this particular class of diseases, but he says that we are not entitled to do that on the Pacific coast, because there is no immigration there. As a matter of fact, we have had to place a bar or penalty of $500 per head, to prevent immigration of a certain class at these very ports ; and is it not natural to suppose that the opening which existed in the industrial life of British Columbia for Chinese, is now just as large for Japanese, and is being taken advantage of by Japanese very much as it was previously by Chinese ? That is immigration, whether it is the result of the efforts of this department or not, and the efforts which we have made to check the introduction of diseased persons into the Dominion of Canada on the Atlantic coast are just as necessary and are just as much within the jurisdiction of the department in regard to the same class of diseases coming in on the Pacific coast. The Department of the Interior, having been charged specifically with that duty by Order in Council so many years ago, took up the question, and last year received the strongest condemnation from hon. gentlemen who last night condemned it for taking the very measures which they condemned it last year for not taking, Under these circumstances, I think the vote that has been placed in the estimates is a just one, and there is no alternative but to allow it to pass.

Mr. HAGGART. The minister does not seem to grasp the idea that the objection is not on the ground of policy at all ; it is a question of carrying out the law. The hon. gentleman says, why don't you object to the vote for St. John, Halifax and Quebec, which is similar to the one for Vancouver ? How do we know that the minister has been carrying out the law there ? The law says that he has no power over an immigrant unless he is a pauper, to return him ; and if he is diseased, he has to follow a certain form—not to employ expensive officers at $2,500 a year and to establish expensive staffs ; but he is to employ a medical officer or apply at the quarantine station for the purpose of get-

ting a report upon the case. What we object to is not a question of policy, but a question of carrying out the law as laid down. If it is necessary that the hon. gentleman should have further powers, change the law, instead of proceeding entirely contrary to what the law directs.

Mr. FOSTER. Is the hon. minister proceeding in the same way in Halifax, St. John, Quebec and Montreal? Erecting separate medical boards; and if so, who are the officers in each of these and what are their salaries?

Mr. OLIVER. I have not the main estimates under my hand.

Mr. FOSTER. Will the hon. gentleman make a note of my question? I am anxious to know how he is proceeding in these places. I suppose he is using the machinery he finds there and is not making each of these boards a separate medical faculty —giving one man $2,500, another $1,000, another $1,000, another $900 and so on,—making in each place an absolutely independent staff. That is a good way to get rid of public money, but is it desirable to do that? Does the law give the hon. gentleman the power to do it? He has the power to deport, but he goes to work and erects a college. He founds a university in one of these places and he equips it with all the medical appliances and power and wisdom. How far is that going to carry us if the minister does that everywhere?

Mr. OLIVER. I object entirely to the hon. gentleman's conclusion. The department has the authority the hon. gentleman read a few minutes ago.

Mr. HAGGART. Could we not have the explanation in concurrence?

To provide for the completion of the work of constructing pavilions and wharfs; and for the purchase of lands, taken for park purposes, Thousand Islands, River St. Lawrence, $3,350.

Mr. OLIVER. This is to make certain park improvements on the islands in the St. Lawrence, which are a part of the Indian reserve.

Mr. TAYLOR. This is in virtue of an arrangement made by the late Conservative government representing Canada and conferring with representatives from the State of New York who made the same arrangement on their side, namely to make a park for the visitors of Canada and the United States. The Americans carried out their arrangement two or three years before we did ours.

Mr. FOSTER. I hope the minister will invite us all down.

Mr. DERBYSHIRE. This is a first-class job.

To provide a further amount for legal expenses, $5,000.

Mr. HAGGART.

Mr. STOCKTON. What were the expenses before this?

Mr. OLIVER. This $5,000 is a special sum to provide for the legal expenses in a test case regarding the Indian lands at Oka.

Mr. FOSTER. Is that still going on?

Mr. OLIVER. Yes.

To provide an additional amount for expenses treaty 9, from which payment may be made notwithstanding anything to the contrary in the Civil Service Act, $1,200.

Mr. BARR. Who gets this?

Mr. OLIVER. Instead of employing outsiders to negotiate a new treaty north of the height of land in the province of Ontario, it was thought more desirable to take members of the civil service in the Indian Department, and as this was giving them special work, we thought it right they should receive some extra consideration.

Mr. FOSTER. What are they to do?

Mr. OLIVER. The present Indian treaties for the province of Ontario do not extend north of the height of land. There is a very large area of that province, north of the height of land, extending to Albany river and James bay which is coming into notice by reason by the Grand Trunk Pacific survey. Amicable arrangements have been made with the Ontario government to negotiate a treaty with the Indians?

Mr. HAGGART. Who are the parties appointed?

Mr. OLIVER. One is D. C. Scott, accountant of the department, and the other is Mr. Stewart, assistant secretary of the Indian Department.

Mr. BARR. Do they act in conjunction with representatives of the Ontario government?

Mr. OLIVER. Mr. McMartin represents the Ontario government.

Mr. BARR. Is it expected this treaty will be carried to completion?

Mr. OLIVER. Yes.

Indians—New Brunswick—to provide a further amount for salary of Indian superintendent, $100.

Mr. STOCKTON. Who is superintendent in New Brunswick?

Mr. OLIVER. Mr. Farrel. It is proposed to increase his salary from $500, which he now receives, to $600.

Indians—Manitoba and the Northwest Territories—to provide further amount for implements, $765.

Mr. FOSTER. What is the vote already made for Indians in the west?

Mr. OLIVER. The total vote in the main estimates for this purpose is $820,992.

Mr. FOSTER. What was expended last year?

Mr. OLIVER. The appropriations amounted to $873,299. The last Auditor General's Report is for 1903 and that gives a total expenditure of $804,098.50.

Mr. FOSTER. This is an increase of nearly $100,000. The minister had better give an explanation of this.

Mr. OLIVER. The greater part of the increase this year over the expenditure of two years ago is in these items of the supplementaries which amount to $79,000. Of this the big sum is for the rebuilding of the industrial school at Qu'Appelle, $35,720.

Mr. OSLER. What was the expenditure of last year?

Mr. OLIVER. We have not the returns of the actual expenditure of last year.

Mr. INGRAM. When this was up on the main estimates, I asked the minister the reason for the non-publication of the reports on the Assiniboia and Moose Mountain agency.

Mr. OLIVER. I stated before that the reason of the lack of report from that particular agency was the death of an inspector of agencies before he had made his report for the particular year under consideration, and that the inspector appointed in his place was not able to complete his inspection and report upon it between the date of his appointment and the date when it was necessary to have the report in for publication.

Mr. INGRAM. The minister before stated that that was all the explanation he had to make, and it is not satisfactory now as it was not then. I shall read a letter in connection with that which has been received to show there was something wrong with the report and that that report has been suppressed for a purpose.

Copy.

Indian Mission,
Sintaluta, N.W.T., 3rd June, 1905.

Dear Sir,—I notice the reference to this reserve—Assiniboia—in the proceedings of the House of Commons of the 25th ultimo. I have to say positively that Mr. Oliver's explanation is incorrect. Mr. Leveque died, but Mr. Graham, the new inspector, was here in the end of April, 1904, for a whole week and perhaps more, and made a minute inspection of the reserve. He must have sent a report thereof to the commissioner, for he made uncomplimentary reference to two ex-pupils of Regina school, which through the commissioner came to the ears of the late principal, Mr. Sinclair. Mr. Sinclair (as he told me) hotly repudiated the reference to his ex-pupils as unfair and unjustified.

In regard to Moose Mountain I may be permitted to make a remark. The agent in his report says the inspector 'made a general inspection of the stock and audited the books.' What is that but an inspection? Where is the report?

I am, dear sir, yours sincerely,
REV. E. MACKENZIE.

P.S.—There is no school on this reserve, and so Mr. Graham had the reserve alone to inspect.

E. M.

That in connection with some other private information goes to show that this report was sent in and suppressed, and it matters not whether the inspector died or not, that report should have been published in the annual report and it should not have been suppressed.

Mr. OLIVER. I am informed that there is possibly a misunderstanding. Each year the inspector of agencies compiles a report for publication in the blue-book of the department, which my hon. friend has had before him, and which lacks the report from that particular agency as he says, and lacks it for the reason I have stated, but whenever an inspector makes an inspection of an agency he makes a departmental report upon that inspection, which is received by the department and placed on file for reference, but is not published in the blue-book. The blue book would be altogether too cumbersome if these reports were published, but the report of the departmental officer on his investigation to the department is on file in the department and can be placed on the table of the House for public information if the hon. gentleman so desires.

Mr. INGRAM. That is what we would like to see.

Indians—Manitoba and the Northwest Territories—to provide a further amount for provisions, &c., $8,000.

Mr. TAYLOR. Are these bought by tender?

Mr. OLIVER. The policy of the department is to purchase by tender after public advertisement. But there may be occasions when the department runs short, and they have to buy small quantities.

Mr. R. L. BORDEN. Why is it that you are so far off your calculation in your main estimates? You come down now with $100,000 a few months afterwards.

Mr. OLIVER. The main estimates were prepared about nine months ago, and at the time the department had not absolutely decided as to the character of the building. But having now decided as to what sort of building is wanted, and desiring to build it as soon as possible, we ask for the additional sum. This is all for buildings. The school house was burnt a year and a half ago.

Indians—British Columbia—to provide a further amount for boarding and industrial schools, $3,000.

Mr. FOSTER. Where is this sum of money to be spent?

Mr. OLIVER. This is intended to assist the management of the Clayoquot Roman Catholic boarding and industrial school and to place a hot water heating apparatus in the school. The management of the school, without any assistance from the department, has added very largely to the accommodation for pupils, and has spent about $5,000 over and above the work done by pupils. Our inspector reports that the building is a splendid one for the purpose of an industrial school. An estimate of the cost of heating apparatus is $2,500, of which amount it is proposed to contribute $1,500.

Indians—British Columbia—to provide a further amount for miscellaneous, $3,916.

Mr. OLIVER. This is made up of several small items. One is $300 to provide for the construction of a road at the Coqualeetza Indian reserve. The Indians of the Coquitlam reserve, in British Columbia, have asked the department to grant them assistance towards the construction of a piece of road from the Coquitlam main road to their reserve on Coquitlam river.

To provide an amount to assist the Dominion exhibition at New Westminster, B.C., $500.

Mr. OLIVER. This is to enable the Indians to take part in the exhibition.

To provide an amount to purchase additional land for the Pemberton Band of Indians, B.C, $3,115.18.

Mr. OLIVER. The Indian reserve commissioner at British Columbia had great difficulty in obtaining any unoccupied agricultural land for the use of the Indians at Pemberton. However, 1,223·9 acres were allotted by Mr. O'Reilly and Mr. A. W. Vowell, the present Indian reserve commissioner, has an additional lot of 10,040 acres. This land consists of mountain range and to a limited extent of thickly wooded valley. The Indians for a great many years have been pasturing their cattle on a tract of land belonging to the Roman Catholic bishop of New Westminster. The said tract contains 313 acres of land, all prairie and of excellent quality. It is advantageously situated for the Indians in Pemberton Meadows, between two of their reserves numbered 1 and 2. Should this land fall into the possession of any person who would not allow the Indians the privilege of pasturing their cattle thereon they would be in a wretched condition. White settlers have lately been attracted towards that section of the boundary and as time advances the land will necessarily increase in value. This property has been offered for $3,115.18, which sum represents the original purchase, surveying taxes and interest to date.

Mr. FOSTER. Who was it purchased from?

Mr. OLIVER. I am not aware from whom the bishop purchased it in the first instance.

Mr. FOSTER. No, I do not mean that. It is 813 acres?

Mr. OLIVER. Yes.

Mr. FOSTER. Between $4 and $5 an acre?

Mr. OLIVER. Yes.

Towards the erection of a monument to Champlain at St. John, N.B.,—revote, $5,000.

Mr. FOSTER. Who was Champlain?

Mr. FIELDING. If my hon. friend is so lacking in geography, I am afraid we will discover he is lacking in other points.

Mr. FOSTER. On a point of geography is it?

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

JOLIETTE AND LAKE MANUAN COLONIZATION COMPANY.

Bill (No. 191) respecting the Joliette and Lake Manuan Colonization Company—Mr. Piché—considered in committee, read a third time and passed.

SOUTH SHORE RAILWAY COMPANY.

House went into committee on Bill (No. 149) respecting the South Shore Railway Company and the Quebec Southern Railway Company.

Mr. HAGGART. This is a very important Bill; what is the object of it?

Mr. GEOFFRION. This Bill is from the Senate, and was considered in the Railway Committee of the House this morning and reported as amended. There are two important sections in the Bill; one asking for an extension of time to complete the road, which is a most important provision, especially if the road is going to be sold; and a second clause, providing, as the road is under a receivership, the promoters ask permission to have the sale made by direction of the Exchequer Court, and have the same effect as if the railroad were sold by the sheriff in the province of Quebec.

Mr. HAGGART. This gives power to the Exchequer Court to make a very unusual sale. It seems to be a most extraordinary thing. Can the Minister of Justice explain?

Mr. FITZPATRICK. I was not at the committee and know nothing about the Bill at all.

Mr. HAGGART. Neither was I.

Mr. EMMERSON. This Bill was considered by the Railway Committee to-day. The law in Quebec, as was explained by members of the bar of that province, is that the two railways mentioned in this Bill could be sold by sheriff's sale and a good title could be passed. But under the present conditions these railways are in the hands of a receiver, and it was deemed that there should be some provisions whereby a sale could be made of these two railways in accordance with the conditions and terms that may be determined upon by the Exchequer Court, and that a good title can be given to the purchaser in that way.

Mr. HAGGART. How will that affect bondholders, who have no knowledge of this.

Mr. EMMERSON. That is in the hands of the Exchequer Court. They are to receive notice as directed by that court. Under the law of Quebec there are exceptional privileges with respect to the sale of such railways, and if there are bondholders they must be presumed to have knowledge of the law of that province. The present Bill provides for notice to them and to all others; notice which perhaps they might not have if the road were sold under the laws of Quebec. The Bill was very fully considered. Several members of the bar of the province of Quebec went fully into the matter, and a provision was made whereby the interests of the creditors would be protected by the courts.

Mr. HAGGART. I suppose the bonds are issued under the authority of a Dominion statute. This is a sort of confiscatory legislation to place the bonds under a different tenure from that under which they were issued, declaring that they shall occupy the same position that they would if issued in the province of Quebec as to the right of sale. It may cut out the bondholders altogether.

Mr. EMMERSON. It cannot do that.

Mr. HAGGART. A sale in the province of Quebec does cut out the bondholders. This gives to the Exchequer Court the power of exercising the same rights as a court in the province of Quebec. A sale in Quebec is an absolute sale. If these are the facts, this is confiscation.

Mr. R. L. BORDEN. Of course, the bondholders who are secured by mortgage on the two railways contract with respect to the law of the province of Quebec, but they do not contract with respect to the provisions of this special Act for the purpose of effecting a sale. It seems to me, therefore, that a very good reason should be given for departing from what is the ordinary law of the province and enacting special legislation. There can be no possible objection to a sale under the law of Quebec ; but that is not the case with which we are met. The case with which we are met is a proposal to enact special legislation under which the conditions of a mortgage are varied. The mortgage gives a first lien. The persons who are interested as bondholders under that mortgage would have the right to conduct the sale, I suppose, under the law of Quebec as under the law of any other province, and the proceeds of the sale would be distributed under the terms of the mortgage. But we are altering the conditions very much by this statute, and I would like to hear some reason as to why that is necessary. Is not the law in the province of Quebec under the conditions of the mortgage sufficient for all the purposes of its enforcement ? If it is not sufficient, what is the reason, and in what respect is it wanting ?

Mr. GEOFFRION. The bondholders cannot suffer any prejudice under this Bill if it passes. They have had knowledge of this question, which has been debated before in this House, and all they want is proper notice. We provide for all the proper notices. Clause 2 provides for notices to be given to the creditors, and I think we can safely trust the Exchequer Court to give the proper notices.

Mr. HAGGART. You give to the courts the power to give such a title as would be given in the province of Quebec ?

Mr. GEOFFRION. We have a law already to give power to the Exchequer Court to take possession of the road and proceed to a sale. If the Exchequer Court has a right, in the province of Quebec or in any other province, to take possession of a road which cannot be operated and proceed with a sale of the road, we want this parliament to give that sale the same effect that it woud have if it were a sale by our sheriff. Otherwise it would be useless to have the law. The sheriff has a right to give a clear title to the road. The Exchequer Court has the same right by a law which we have passed, and we want the court to give as good a title as the sheriff would give in our province. The Bill provides for the proper notices to be given, but we are ready to say that notice shall be given for one month in the 'Official Gazette' of Quebec, in the 'Canada Gazette,' or in any other way that the court may decide. Under these circumstances, I do not think that the bondholders can suffer. They can attend the sale and buy the road if they want to. If the bondholders could take the road and not operate it, there would be some very important roads in the province of Quebec not operated, simply because the bondholders would not operate them. We want a law to force the bondholders either to buy the road and operate it, or to sell it ; and if it is sold, we want a clear title to be given ; and if

we give the Exchequer Court power to proceed to a sale, we want it to have the power of the sheriff or any court in the province of Quebec to give a clear title.

Mr. HAGGART. I do not see this Bill on the order paper at all. I do not know how it got there.

Mr. EMMERSON. By a special motion passed to-day.

Mr. HAGGART. This is a Bill from the Senate which was referred to the Railway Committee, and these clauses which were inserted in it by the Railway Committee alter the whole character of the Bill. We have a right to see the Bill printed, so as to know exactly what it is. I do not suppose one member of the House knew that it was made a special order for to-night.

Mr. EMMERSON. This Bill was reported by the Railway Committee.

Mr. HAGGART. When was it reported ?

Mr. EMMERSON. To-day ; and the Railway Committee made a recommendation to the effect that the House should suspend the rule and place the Bill on the order paper for to-day. That motion was moved by the acting chairman of the Railway Committee and was adopted.

Mr. HAGGART. It would be necessary to set two rules aside. First of all, the report of the Railway Committee should not be adopted on the same day that it is presented to the House.

Mr. EMMERSON. The House concurred in the recommendation of the Railway Committee.

Mr. HAGGART. Unless the rules of the House were set aside, they could not concur in it the very day it is introduced.

Mr. EMMERSON. That was one of the recommendations of the committee, and a motion to place the Bill on the Orders of the Day was made in the regular way and passed by this House.

Mr. R. L. BORDEN. How was the motion made ? I was not aware that any committee had power to recommend the suspension of the rules of the House. The House is supposed to judge of the expediency of suspending its own rules and no committee has the right to interfere or make any suggestion. In doing so, it would go beyond its jurisdiction. Was it a separate motion ?

Mr. EMMERSON. Yes.

Mr. R. L. BORDEN. That the report be concurred in ?

Mr. EMMERSON. That the rules of the House should be suspended with respect to two Bills. That was considered by the Railway Committee this morning.

Mr. R. L. BORDEN. As far as I am concerned, I was very much misled because I examined carefully the order paper this afternoon to see whether or not there were private Bills on it, and found there were none. A motion of that kind ought to be brought more specially to the attention of the House when it is made. I heard nothing of it until this moment, and was very much surprised to find the House discussing two private Bills which were not on the order paper at all.

Mr. EMMERSON. I am not discussing the principle of the case but am only stating what was actually done. The acting chairman of the Railway Committee presented a report of the committee, which was read at the table, and a motion was immediately made by the chairman of that committee to the effect that the rules of the House should be suspended for the purpose of permitting those Bills to be placed on the order paper for to-day.

Mr. HAGGART. Was the report read ?

Mr. EMMERSON. Yes.

On section 1,

Mr. R. L. BORDEN. We should have a pretty full explanation. I am not at all satisfied that this Bill should pass. A contract has been made and certain persons—I do not know who they are—invested money in the bonds of this road. They are entitled to have that contract carried out according to its terms. Should we pass a Bill of this character, we will be altering the terms of that contract. It is perfectly obvious that every one interested in this road, in its bonds, or in the concern in any way, should be given an opportunity to be heard before that contract is altered. The contract is one that can be enforced according to the law of the province of Quebec ; but if we pass this Bill, we are to all intents and purposes altering that contract in respect of the remedies for its enforcement. Whatever arguments may be made, as to the inconvenience of non-operation of a railway, there is something more than that, that is that a contract once made between a railway company and those who have put their money in it, ought to be regarded as sacred and should not be departed from unless for better reasons than we have heard from the hon. gentleman supporting the Bill.

Mr. EMMERSON. I have no interest whatever in the Bill except as one who observed its passage through the committee. As I understand the situation, under the laws of the province of Quebec, these two railways could be sold at sheriff's sale and the position of the bondholders would be subject to that law.

Mr. HAGGART. Were the bonds issued under the authority of a Dominion charter

or of a provincial charter of the province of Quebec ?

Mr. EMMERSON. Under the authority of a provincial charter, and they are subject to the provincial law. The only reason why the regular procedure under the law of the province would not be followed is that in the meantime, under an Act passed two sessions ago by this parliament, these railways were put in the hands of a receiver, and there was some question with respect to the right of sale by a sheriff. This Act will enable the sale to be had under the direction of the Exchequer Court, all the rights of the parties being protected. Their interests would not be affected because the sale would be the same as if it were made by the sheriff under the Quebec law. My hon. friend from Beauharnois (Mr. Bergeron) heard the discussion in the Commons, as also did my hon. friend from the city of St. John (Mr. Stockton).

Mr. BERGERON. I objected to that measure altogether.

Mr. EMMERSON. I took exception to it myself until certain amendments were made. The promoters of the Bill were there and explained it, and the committee reported as I have said. They recommended the Bill with certain amendments. It seemed to me that those amendments protected the interests of the creditors more fully indeed than would be the case if the sale took place under the sheriff, as provided by the laws of the province of Quebec.

Mr. OSLER. I assume that this is the Bill which created such a disturbance in the money markets of England. More cables were sent over in connection with this proposed legislation than any passed in this House for some years. The proposal in the original Act was one that startled the English investing public, and the protests were strong and loud. I received notice this morning that there would be a meeting of the Railway Committee, but there was no memo. as usual stating what business was to be done. I assumed therefore that it was just a formal meeting to close the business of the session. I think the Bill should be printed and laid before the House so that hon. members might understand what it means and discuss it fully. It is a most extraordinary thing to bring down a Bill that is not even printed, but just patched up with scissors and paste, and which none of us know anything about.

Mr. GEOFFRION. I do not see why we should delay this Bill. It is properly before this House. A motion was made this morning that it should be taken up this evening, and if these gentlemen were not in the House that is not our fault. If they attended to their duties a little better, perhaps they would know what is going on. A motion was put, and properly put before the House, and adopted. What more do you want ? As to what the leader of the opposition said, that we are breaking a contract, I do not see where or with whom we are breaking a contract. Supposing we took the other remedy, and proceeded to the sale of that road by the sheriff in Quebec, would we break contracts with anybody ? We would have a right to proceed to a sale of that road by the sheriff and would not thereby break a contract with anybody. I repeat that we are given by law the right to proceed to the sale by the sheriff in Quebec. We want that court to have the same power to give to the sale the same right and effect as a sale by the sheriff. We would not be breaking contracts with anybody any more if we proceeded in the Exchequer Court than if we proceeded with the sheriff's sale in the province of Quebec ; it is the very same thing, and I have not seen any good reason given yet for not adopting this Bill.

Mr. BARKER. It seems to me that what is attempted in this Bill is likely to cause very serious and grave dangers to securities in Quebec. Nothing is more sensitive than the money market, and if you cast any suspicion upon the bonds or debentures of a province like Quebec, or any other province, you will do an injury beyond calculation to every other interest in that province. What have we here ? The Railway Committee was called this morning, and I never saw such a notice issued before. At the same time that we were called together for the Railway Committee we were called together for another committee. There was not a word upon the Railway Committee notice as to what the procedure there would be, and I never before saw a notice issued from the Railway Committee in which the business to come before us was not stated. It was not done on this occasion. When we come to the business of this House we find the order paper laid before us containing everything that is to come up in the House, but there is not a word about this Bill upon it. A gentleman, in the course of the proceedings to-day, makes a motion that this Bill may come up, although it is not upon that notice. Does anybody suppose that this is the way that the rights of people living in Great Britain, France, Germany or anywhere else, where these bonds are dealt with, are to be frittered away ? Are these gentlemen to say: We will pass this Bill to-night without the ordinary notice ? Are the government going to sit here and allow this ? Is that the way that the business of this House with regard to most important matters affecting the financial interests of the Dominion and the various provinces is to be conducted ? I think, in the interest of the whole community, the House should stamp upon any attempt of this kind. There is not a gentleman in this House who

had the slightest idea that this Bill was to come up to-night. The Orders of the Day do not contain a reference to any private Bill whatever, every gentleman was left under the impression that there were to be no private Bills brought up to-night, and yet we have this Bill brought before us; and it is a most extraordinary circumstance that these two things should occur on the same day—the committee called as it was called in the morning, and this Bill brought up to-night without a private Bill being mentioned upon the order paper; and we are asked to submit to having this forced through. I say it is a most extraordinary thing for the government to permit any such proceeding to take place. It is not a question of the interest of these particular bondholders: it is a question of the interest of every financial undertaking, every commercial undertaking, not only in Quebec, but in every other province of the Dominion, that this thing should not be treated in this way. I would ask the Finance Minister how he looks upon such a case as this? Is it likely to conduce to the value of Canadian securities that a thing of this kind can be done? In the most irregular proceedings of the legislatures of the western states, I do not believe such a thing would be attempted; and yet, here in the parliament of Canada, we are expected to submit to it. I say it ought not to be tolerated for a moment. The committee called at ten o'clock in the morning, a form of notice issued that has never been issued before; not a word is on the order paper about this Bill coming up, is made in the course of the day, and the Bill comes up to-night. We are told to-night it will not make any difference, that we are not altering the position of the bondholders. If we are not altering the position of the bondholders, what is the Bill for? If they are leaving the bondholders just where they were, they do not require any Bill of this kind. The hon. gentleman must be altering the status of the bondholders or he would not ask for this Bill.

Mr. GEOFFRION. What an argument!

Mr. BARKER. I can only say that if I held railway bonds bought under particular conditions under the law of Quebec, and I found out that a gentleman was introducing a Bill here to enable that enterprise to be sold under other conditions than those under which I bought the bonds, I would consider my rights were being interfered with; and that apparently is the position in this case. I submit that we are entitled to call upon the government to stop this and not allow the Bill to proceed.

Mr. EMMERSON. The same notice that was received with respect to the Railway Committee this morning by other members of the committee was, I presume, the notice received by myself. The first intimation I had of the meeting of the Railway Committee was obtained from a notice which I found on my table this morning when I went to the office. I attended the meeting of that committee, and these two Bills were brought under consideration—this particular Bill and another one. They were considered, as I have stated already; the committee, through its chairman, made a report with respect to it, that report was read in the House, was received here, and a motion was made immediately after eleven o'clock, and I think the motion recited the fact that in consequence of the lateness of the session these two Bills should be placed on the order paper for consideration to-day. This was done in the House, and it was the action of the House. The order paper, of course, had been printed and placed on the table before eleven o'clock; this motion was made after eleven, and it was done within the knowledge of the House. I was here myself and heard it, and other members might have heard the same thing. No one objected. The Speaker of the House spoke distinctly with reference to it; but if there is any inconvenience or want of knowledge on the part of members, it might be a matter for consideration whether the Bill should not stand over.

Mr. BARKER. I understand the hon. gentleman was at the Railway Committee—will he say if the motion to ask this permission to place the Bill on the order paper, was carried before the chairman of the committee.

Mr. EMMERSON. Yes.

Mr. BARKER. I am informed it was not.

Mr. EMMERSON. I heard it read by the hon. member for St. Mary's division, Montreal (Mr. Piché). Immediately after the Bill was ordered to be reported some members started up from their seats, when the hon. member for St. Mary's, Montreal, came forward and read his motion and moved it; it was seconded and put. It is true that some members were leaving their seats, as frequently occurs in the Railway Committee; but it was before the committee had separated, and before its proceedings were finally brought to a close. Then it came up in the House afterwards in the way I have described.

Mr. FIELDING. I have to confess that I have no more knowledge of this Bill than my hon. friend from Hamilton (Mr. Barker). It has been brought before the House in what seems to be a regular way, that is to say, the rules of the House appear to have been suspended, and probably a majority of the members were not aware of the nature of the Bill when that suspension was moved—for one, I was not. I do not mean to say that that would necessarily change my judgment of the Bill. An

earlier Bill of a general character relating to the same subject has been on the order paper for some time. I am aware that it has been the subject of a good deal of contention. At an earlier stage of the matter representations were made to me on behalf of some bankers against it. Subsequently an officer of the Bankers' Association waited upon me and said that he thought judgment had been hastily formed, and that he was not authorized to continue the objections which had been raised. Still there were objections to the Bill. Now we are informed that the former Bill has been changed in its shape so that, instead of being a general Bill, it is a private Bill. The statement has been made by the promoters that the objections to the former Bill will not lie against this one, in other words, the Bill has been rendered unobjectionable. I hope that is the case. I think the House is entitled to reasonable notice, and an opportunity of understanding the Bill; therefore I would suggest that after it has been discussed, and before it is finally disposed of, it shall stand over and be printed, so that a reasonable opportunity may be given to all concerned to know what it means.

Mr. R. L. BORDEN. In the first place I would like to suggest to the hon. gentleman who made some reflections that those objecting to the Bill do not attend the House, that he himself is not a very brilliant example of attendance. I have been in this House during every minute of the session to-day, with the exception of about ten minutes when I was detained in my office in connection with some public business, and during that time it appears this motion was passed. I never heard of it. I looked at the order paper carefully this afternoon to see whether private Bills were coming on, and I found there was no reference to any private Bill on the order paper. I would like to know whether the bondholders have been notified, and whether they have consented. That is the first thing we want to know with regard to this Bill. Can the hon. gentleman give us information with regard to that?

Mr. GEOFFRION. I have not officially consulted the bondholders, but I have spoken with various commercial institutions, for instance, the great railway companies of the province of Quebec, and some of the most important banks in Montreal, and the only objection which they had to this Bill or to the Exchequer Court Bill was that in the latter they thought proper notices were not given to the bondholders. I told them that I was ready, as promoter of the Bill, to see that all proper notices were given, and I say now that I am ready to provide in the Bill that the sale shall be advertised during a month in the Quebec Official Gazette and in the Canada Gazette, also leaving to the judge the power to order any other mode of advertising. They seemed to be satisfied with that assurance; every one I met seemed to be satisfied, because they knew that unless we took this remedy of the Exchequer Court to have the road sold, the only other remedy that is left to us would be a sale by the sheriff, which is, I admit, the more costly, and would entail a great deal more expense than the sale which we wish to obtain by the Exchequer Court. In the province of Quebec we can proceed to the sale of the road by the sheriff, and attain the same end exactly. But we want to take this remedy, because if we proceed by this mode and sell by the Exchequer Court, the road can be run at the same time; whereas if we proceeded to sell by the sheriff in the province of Quebec, the operation of the road is stopped, it may be stopped for several months, and the hon. gentleman can imagine what harm that would do to some localities. The bondholders, those that I have seen, do not object to that, and I have seen some very important commercial institutions, besides. The only suggestion they had to make was a provision in the Bill that would guarantee proper notices being given. I told them I would give them every kind of guarantee they wanted.

Mr. OSLER. Are the proposed guarantees embodied in the Bill, as to consulting the bondholders?

Mr. GEOFFRION. All we can do in a Bill like this is to give proper notices of the sale to the bondholders, and they can attend the sale and bid on it. But surely we cannot go to the bondholders and say we will guarantee that they shall get their money. We want to proceed with the sale of the road, and then the bondholders can come and buy the road if they see fit, or force it up by their bids. What more guarantee can we give? We cannot give any more guarantee than we do in a sale by the sheriff.

Mr. OSLER. The hon. member thinks that his own personal guarantee is going to be sufficient. He says: I will give all the guarantee, and I will do so and so.

Mr. GEOFFRION. My hon. friend (Mr. Osler) is simply playing upon words. Perhaps if he were to express himself in French he might afford me occasion to play on his words.

Mr. OSLER. I am sorry I am not able to express myself in French. But this is a most irregular proceeding. As the hon. member expressed himself, I understood that he had consulted banks, consulted commercial institutions, consulted everybody but the

people whom he ought to consult, that is the bondholders. I have never seen an Act passed in this House that did not protect the bondholders, or require their consent to proceedings for a foreclosure of the road. I have not seen this Bill. We are asked to pass upon a Bill that is not printed, not one in five members of this House knows what is in the Bill.

Mr. EMMERSON. The Bill contains a provision for all notices to be published under the direction of the Exchequer Court. I will also say to the hon. member for West Toronto (Mr. Osler) that there was a gentleman before the committee who claimed to represent the creditors of at least one of the roads. I do not know what creditors, or what kind of creditors.

Mr. BERGERON. It was Mr. Brosseau, a creditor for $60,000.

Mr. EMMERSON. He was there, and gave some reasons why the Bill as amended should pass.

Mr. OSLER. It is not long ago since there was a road in a somewhat similar condition to this, I think, the Kingston and Pembroke, which required some new legislation, some rearrangement; and I remember that it required a fight to provide that the consent of a portion of the bondholders should be required. Now this Bill may be all right, and I am not saying that it is not, but I am saying that this Bill is introduced into this House for the purpose of carrying out the object of a Bill to which there was an objection raised all over the country and in all the financial centres of England. There were cables sent from all the financial centres of England protesting against this Bill. My hon. friend the Minister of Justice, I understand, realized to a very considerable extent the force of these objections and was not in sympathy with the Bill. Now a Bill to accomplish the same object is introduced.

Mr. EMMERSON. I think my hon. friend (Mr. Osler) is mistaken. That was in respect to another Bill, a Bill referring to the sales not of these particular roads, but of all railways in Quebec.

Mr. OSLER. But it was for the same purpose.

Mr. EMMERSON. That was not the same Bill that was before the Railway Committee to-day. That was a public Bill. This is a private Bill.

Mr. OSLER. That was a public Bill to accomplish the same object for which this private Bill was presented to-day and that public Bill so shocked the sense of the financial world that the government withdrew it. To accomplish the same end a private Bill is introduced irregularly to this House. A notice was sent out this morning to the members of the Railway Committee saying that there would be a meeting of the Railway Committee at 10 o'clock. That notice did not, like other notices, state the business to be done. Of course it was my duty to attend, but I took it that it was to be merely the formal winding up of the Railway Committee's business. Since I have been a member of this House the notices sent out on every occasion have contained a list of the Bills to come before the Railway Committee. Whether that was left out purposely or not I do not pretend to say; I do not assume for a moment that it was, but it was unfortunate. Following that is this Bill which has been brought into the House irregularly and attempted to be put through without the knowledge of many of the members of this House, without the usual notice and without the usual formality. I agree with the hon. Minister of Finance (Mr. Fielding) that it would be a very vicious thing under all these circumstances and considering the objections that have been made by financial interests to adopt the government Bill which would perhaps have accomplished this object——

Mr. EMMERSON. That was not a government Bill to which the hon. gentleman refers. The Bill was proposed by a private member and it stands on the order paper yet.

Mr. OSLER. It was a public Bill.

Mr. EMMERSON. A public Bill and in no way under the control of the government.

Mr. OSLER. It could not have been passed, I should think, without the consent of the government. I think it would be very unfortunate if this Bill were to be rushed through the House as it is proposed to do this evening, and I am very glad indeed that the hon. Minister of Finance has said what he has said, that this Bill should be printed so that hon. members might have an opportunity of studying it.

Mr. R. L. BORDEN. I objected to the Bill to which reference has been made, because it made provision for the exercise by the Exchequer Court of certain powers in the province of Quebec. I had no special objection to the exercise of those powers, but I thought the Bill should be applicable to the whole of Canada. This Bill is more objectionable, because it does not deal even with the whole of the province of Quebec but only with a particular case. I ask my hon. friend (Mr. Geoffrion) who is promoting the Bill whether or not the bondholders have consented. Or is it not correct that the bondholders are objecting to this Bill?

Mr. GEOFFRION. I must admit that I have not consulted the bondholders, for the very good reason that I do not know where to find them. I do not know who are the holders of the bonds.

Mr. R. L. BORDEN. It seems to me that some effort should be made to find the people who have invested money in this road and whose rights will be materially altered in this Bill. I consider it a very extraordinary answer to say that the people interested have not been consulted because we do not know where they are. I think that until we find out where they are we should not propose to deal with their rights. The section which we are now considering, does not, it is true, affect their rights so much as the next section. But taking the Bill as a whole my hon. friend will not deny that their rights are very seriously altered. It may be that in the end this Bill will work out to give them the same justice that they would get under the law as it exists at present. I am not satisfied of that. The hon. gentleman says that he can go now to the province of Quebec and have these railways sold by the sheriff. No one is objecting to his doing so. Let him go ahead and do it. If he means by that suggestion that this gives him no more rights than he has at the present time why is he pressing this Bill in this House? All persons interested may avail themselves of the remedies which exist under the laws of the province of Quebec ? It does not lie in the mouth of any hon. member of this House to raise any objection to that. I have no possible ground of objection to the working out of that result. But, when we find in a clause of this Bill that the effect of the sale is to alter conditions which are prescribed in the contract, when we find that liens are wiped out and that rights are very seriously interfered with, it seems to me that it is a very singular answer that the persons whose rights are affected cannot be found and therefore have not been notified. Suppose my hon. friend had invested in some property in Germany and should suddenly discover that the German parliament had passed a law depriving him of certain remedies which were his under the terms of the contract; would he think it would be a very good answer that the law was passed interfering with his rights because the people interested in promoting that legislation did not know where he was and therefore could not give him any notice ? That is just the situation which is presented to this House. In the first instance we want to know whether the bondholders consent. If they do consent that is an end to the question. If they do not consent then it remains for this parliament to consider whether or not their rights are preserved by the terms of this Bill and whether this legislation is in the public interest, having due regard to the rights which were preserved to them under the terms of the contract.

Mr. EMMERSON moved that the committee rise, report progress and ask leave to sit again.

Mr. OSLER. It is understood that this Bill is to be printed.

Mr. R. L. BORDEN. The Bill is entirely new and I think it ought to be printed.

Progress reported.

SUPPLY.

The hour for private Bills having expired the House resumed in Committee of Supply.

Railways and Canals—chargeable to capital—Galops canal, removing shoals below lock 28 in the St. Lawrence river, $5,000.

Hon. H. R. EMMERSON (Minister of Railways and Canals). This expenditure becomes necessary by reason of the representations of the transportation companies to the effect that there are dangerous shoals which resulted from the operation of forming the new bank at this point. The cost is estimated at $5,000.

Lachine canal—installing electrical appliances for operating gates, weirs and bridges (revote $5,000), $7,000.
Electrical installation (revote), $6,000.

Mr. HAGGART. What is the total cost of the electrical appliances on the Lachine canal ?

Mr. EMMERSON. About $161,000.

Mr. HAGGART. Are they working satisfactorily ?

Mr. EMMERSON. It was not completely satisfactory and some new tests are being made which it is believed will be an improvement.

Mr. BERGERON. I understand that the electrical apparatus on the Soulanges canal is working perfectly. Is it not the same on the Lachine canal ?

Mr. EMMERSON. The construction of the gates on the Lachine canal are somewhat different from those on the Soulanges canal, so that the same apparatus can not be used in the same way. One lock will be completed next week, and that will determine the action of the department.

Mr. BERGERON. The other locks on the Lachine canal are still worked by hand power ?

Mr. EMMERSON. Yes.

Trent canal—to complete surveys, $28,000.

Mr. KEMP. What is this for ?

Mr. EMMERSON. A survey of the whole system from the Georgian bay down to the lake.

Mr. KEMP. Has not that been done before ?

Mr. EMMERSON. No. Last session $11,000 was voted for these surveys.

Mr. W. F. MACLEAN. What is the total cost of these surveys to date ?

Mr. EMMERSON. Twenty-one thousand six hundred and fifty-eight dollars up to the

31st of May. There have been sections surveyed but there never has been a continuous survey of the different routes. Gentlemen who favour Port Hope, as well as those who favour other places, claim that the surveys have been made with a certain object in view, and I promised the House that I would secure the services of an outside engineer who would be in no way biased and who would make a complete survey of the two or three different routes suggested, and also of the routes from Lake Simcoe to Georgian bay. The survey is in charge of Mr. E. J. Walsh. I saw him last evening and although he has not yet completed his report the work is in progress.

Mr. KEMP. This would make a total of $50,000 for surveys altogether. Did I understand the minister to say that no complete survey had ever been made of the Trent canal, on which we have already spent millions of dollars ?

Mr. EMMERSON. There have been detached surveys, but three different routes have been suggested, one to Cobourg, one to Port Hope and one to Trenton. Each of these is said to have merit, and the object here is to have full and complete surveys and reports as to the feasibility and desirability of each route. The same is true with respect to the outlet from Georgian bay down to Lake Simcoe.

Mr. KEMP. I understand the object is to determine which is the best terminus on Lake Ontario, and also the best terminus on the Georgian bay.

Mr. EMMERSON. And the best routes to follow.

Mr. KEMP. Why, that canal has already been built.

Mr. EMMERSON. Not from Simcoe to the Georgian bay.

Mr. COCHRANE. I wish to tell the minister——

Mr. EMMERSON. Perhaps I should say to Brighton.

Mr. COCHRANE. I do not want the minister to put words in my mouth. So far as Brighton is concerned, and although that was brought against me in the last election, I never was selfish enough to want public moneys spent in East Northumberland if it did not benefit the whole of Canada. I want to tell the minister that that canal is completed almost across the township of Seymour for 12 miles below Rice lake to Healey's falls, and if it was brought in the way it was intended the terminus would be on the Bay of Quinté and not on Lake Ontario at all. If the canal is going to be of any use the terminus should be on inland waters. When the hon. minister gets his surveys, there ought to be some other question taken into consideration than the construction of the canal to an outlet on Lake Ontario. The question whether the barges that will navigate the canal will be able with any degree of safety to go down to the St. Lawrence in the open lake or whether they should go down on inland water, is as important as the saving of a few dollars on the construction.

Mr. EMMERSON. This amount is required to complete the surveys to which I have referred, and also to complete the surveys on other sections, for instance, on the Holland river, on the Black river, from Lake Simcoe to Sutton, from Rice lake to Trenton, and from Rice lake to Port Hope.

Mr. BENNETT. Does the minister say from Lake Simcoe to Sutton?

Mr. EMMERSON. Yes.

Mr. BENNETT. That is the joke of the season.

Mr. HAGGART. That is a memorandum which was got up before the last election; it is of no practical use now. What we want to know is : What is the probable terminus of the Trent canal ? Is it on the Bay of Qunite or on Lake Ontario ?

Mr. EMMERSON. That is to be determined by the surveys, which are not yet completed.

Mr. HAGGART. You have no information in the department from the surveyors that would enable you to give an opinion on the subject as yet ?

Mr. EMMERSON. Not as yet.

Mr. OSLER. I think I can give the minister a little information. If he will go to the Prime Minister's office, he will find there a copy of a telegram which was sent about the middle of October to an hon. gentleman who was a member of the government a very short time—I do not know whether he was sworn in.

Mr. W. F. MACLEAN. He was sworn out.

Mr. OSLER. The Hon. Mr. Aylesworth, in his candidature of Durham, very nearly captured the constituency.

Mr. EMMERSON. It is a great pity he did not.

Mr. OSLER. A pity for the boodlers; I agree with the hon. gentleman. It is fortunate for the interest of the country that the government did not get greater support than they have. The Prime Minister had a habit—I hope he finds the utility of it now—at any great meeting of having a telegram sent to himself if he was the hero of the evening—if not, to one of his friends who was. At an opportune moment he would have the telegram brought in by a boy, as in the old tale of the doctor who had his boy run into church and have him called out as if he was wanted. This is an old game, but it can be repeated too often, and

the Prime Minister repeated it once too often on that occasion. Mr. Aylesworth said he had a telegram stating that a survey would be made and the Trent canal would be built to Port Hope. The consequence was that Port Hope was very nearly captured. I attended one meeting on behalf of the present member, and I had not been in the hotel five minutes before some of the townspeople came to me and said to me: 'If you go on the platform, for goodness sake, don't say anything about the Trent Valley canal, as the Prime Minister has sent a telegram promising to build it to Port Hope.' When the telegram was produced however, it was only one of the usual vague ones to the effect that provision would be made to have a survey to Port Hope. That is the origin of this vote, which is costing the country a good deal of money. The minister says that he is going to have a survey made from Lake Simcoe to Sutton. Nothing could be more absurd than that, and all other points of survey which the minister has mentioned I venture to say are equally absurd. The real reason for this vote is to carry out the election promises which the Prime Minister made in November last year.

Mr. EMMERSON. I can very well understand why Mr. Aylesworth was defeated if my hon. friend went into the constituency. The promise was made in this House last session by myself, in answer to some remarks made by the hon. member for Durham (Mr. Ward) on that occasion, that a survey would be made from Rice lake to Port Hope, a survey to Trenton, and also possibly a survey to Cobourg. That was long prior to any telegram that could have been sent in October by the premier or any one else. That promise was made publicly in this House, and accordingly some time before the elections of 1904 the services of an engineer of repute were engaged, and parties were sent out, So that the pretty little story of my hon. friend, which was not even dramatically told, has no foundation.

Mr. BENNETT. Do I understand the minister to say that three surveys were to be made from Lake Simcoe to the Georgian bay ?

Mr. EMMERSON. Three, as I understood.

Mr. BENNETT. I can only say that from the knowledge there is in the department, a survey of a route by way of the Severn river would be the height of absurdity, because it has long since been conceded that a route from the Georgian bay or Matchedash bay, by way of the Severn river, is altogether out of the question. I think the deputy minister would not advise the minister to waste money on a survey from a point near Barrie to the southern part of the Georgian bay; I think that has long been exploded. There has been a survey from a point near Orillia to a point near Waubaushene, and that has been accepted by the ministers in the past as the only probable if not the only possible route. From all I have heard, I think it would be a sheer waste of money to have a survey of a route by way of the Severn river, and an equal waste of money to have a survey from Kempenfeldt bay on Lake Simcoe to the foot of Nottawasaga bay. There the water is so shallow that the money required to be spent on jetties would go a long way to connect the waters of Lake Simcoe with those of the Georgian bay. There is only one proper route, and that is to utilize the North river, coming out near Waubaushene, where there is a splendid protected harbour, from a point near Orillia. I hope the minister will have that route surveyed and early next year put under contract.

Mr. EMMERSON. The hon. member for South Simcoe (Mr. Lennox) made some representations to the department with respect to some particular route. I would ask him if that is the route ?

Mr. BENNETT. I assume he would favour the one in his own constituency.

Mr. L. G. McCARTHY. Apparently, judging by what the hon. member from East Simcoe (Mr. Bennett) has just said, what is the best line for the railway depends on where you are yourself located. He assumed that the hon. member for South Simcoe (Mr. Lennox) would advocate the route, a portion of which takes in his own constituency ; and no doubt we may apply the same rule to him and conclude that he is governed in his view of the best location by the interests of his own riding. I submit it is not at all absurd to talk of joining Georgian bay with Lake Simcoe through Nottawasaga bay. You can utilize the river and thus save a great deal of excavation work usually necessary for canal purposes. It would be well worth taking a survey there before determining what route that canal should take to reach Georgian bay from Lake Simcoe. I would strenuously urge on the government the necessity of having such a survey, because I am by no means in accord with my hon. friend from East Simcoe (Mr. Bennett) that the cheap route is the one he suggests. I agree with the hon. member for South Simcoe (Mr. Lennox) that we should utilize Nottawasaga bay and join Georgian bay with Lake Simcoe.

Mr. KEMP. Out of this $50,000 can you make the survey from Nottawasaga bay to Lake Simcoe which the hon. member for Simcoe speaks of.

Mr. EMMERSON. The vote does not include that survey.

Mr. BENNETT. Will the survey be made this season ?

Mr. EMMERSON. Survey parties have been out some time and are out now.

Mr. COCHRANE. I did not understand the hon. minister to bring down any appropriation for a survey from Healey's Falls to Presqu'isle harbour.

Mr. EMMERSON. My hon. friend treated the matter so lightly, I thought he was not serious.

Mr. COCHRANE. If we can judge by the joking manner of the hon. minister, there is no seriousness in any of these votes. If he wants to have the cheapest and best route, it is very important that he should have that route from Healey's Falls to Presqu'isle harbour, which is one of the best natural harbours in Lake Ontario, surveyed. I am not advocating that route because I know nothing about its cost or feasibility, but I know that the outlet in Presqu'isle harbour would be one of the best natural harbours on Lake Ontario and be at the head of inland navigation. It is connected with the Bay of Quinte by a canal and gives facilities to barges to go to Montreal. Eight or nine miles south of Healey's Falls there is a dam and locks, and the hon. minister will remember that a deputation from East Northumberland asked him to grant some money to aid the construction of a bridge there because of the difficulties created by the canal. At that place there are about eight miles between Healey's Falls and the Bay of Quinte that are navigable after you leave Healey's Falls, so that the number of miles is reduced very materially from Healey's Falls down to the Bay of Quinte and I hope that when the surveys are made Brighton will be the outlet of that long talked of canal.

Mr. EMMERSON. The engineer was directed to make an exploratory survey down to Brighton. With respect to the route suggested by my hon. friend from Simcoe (Mr. McCarthy), there does not seem to be sufficient data in the department to warrant my asking a vote this session to have the surveys made.

Mr. KEMP. Is the cost of the survey for the improvement of Holland river included in this $28,000 ?

Mr. EMMERSON. Yes.

Improvements on east branch of Holland river to Newmarket, $100,000.

Mr. EMMERSON. This is to be expended in connecting Lake Simcoe with Newmarket, a distance of about 10 miles.

Mr. HAGGART. What will be the total cost ?

Mr. EMMERSON. Taking the east and west branches, about $300,000.

Mr. HAGGART. What is the difference in the level between the river at Newmarket and Lake Simcoe and how many locks ?

Mr. EMMERSON. Forty-five feet difference as to the level and about 5 locks.

Mr. INGRAM. What is the depth of water ?

Mr. EMMERSON. That would make it six feet uniform, with the other Trent valley water—six feet on the mitre sill.

Mr. OSLER. Does the minister intend pumping water from Lake Simcoe to fill those locks ?

Mr. EMMERSON. The engineers have made the survey and say it is a perfectly feasible route, which will be of great advantage to that section of country as well as other sections along the Trent valley. At Peterborough last year I had deputations asking that the Trent valley waters and their tributaries and Lake Simcoe and its tributaries be made navigable so as to gather in the products of those sections. Gentlemen engaged in manufacturing industries contend it would be very advantageous to connect as far as possible the agricultural districts with these Trent waters.

Mr. KEMP. Has that particular survey been completed?

Mr. EMMERSON. That particular survey has been made, but the final report has not been received. I have an interim report in respect to it as to its cost.

Mr. W. F. MACLEAN. And as to its feasibility?

Mr. EMMERSON. And as to its feasibility.

Mr. KEMP. Is the $300,000 sufficient for the work according to the information at hand?

Mr. EMMERSON. That is the maximum cost; it was estimated approximately by the engineer at $328,000, including contingencies and all other items, adding 10 per cent to all estimates he had furnished. This was only an approximate estimate, but he said that would be the maximum limit and that it would be minimized later on.

Mr. BARKER. What will be the distance by water when the canal is completed from Newmarket to Lake Ontario?

Mr. EMMERSON. The distance from Newmarket to Lake Simcoe is 10 miles, but I presume my hon. friend means from Newmarket to Trenton or Port Hope. I can give an estimate: it is 10 miles from Newmarket to Simcoe, and then we have Balsam lake, and the stretch from there to Peterboro' and then Rice lake ; I shall give the figures in a moment.

Mr. BARKER. What is the distance by rail from Newmarket to Lake Ontario at Toronto?

Mr. BENNETT. Thirty-two miles with two lines of railway.

Mr. BARKER. I would like to know the distance the other way.

Mr. EMMERSON. The great advantage to be derived from doing this work on the Holland river, as pointed out to me by the people interested in the industries to which I have referred, is that it would enable them to get their raw material down cheaper to Peterboro' and to those points in that way than by rail, as they are practically precluded from doing so to-day. I give this simply for what it is worth, but these were the representations of the business element of Peterborough.

Mr. KEMP. Of Newmarket?

Mr. EMMERSON. The matter came first under my notice at Peterborough. Since then a deputation from Newmarket and vicinity came here and made further representations more than confirming all that had been said by the gentlemen of Peterborough.

Mr. BENNETT. In the absence of the Postmaster General one feels rather constrained from saying anything in regard to this. If ever there was a proposition made in parliament for an utter, sheer waste of public money it is certainly this desperate last political move of the Postmaster General in North York. Any one who knows the political chances of the Postmaster General in North York, seeing the turnover that riding gave in the last local election, will readily understand why the Postmaster General is pressing on his colleagues for this wasteful expenditure of money. What are we embarking on? An expenditure of over $320,000, for the minister's figures are $328,000, is to be made on what? The Trent valley canal, if it is ever to be of use, will be of use mainly as a through waterway, and yet before it has been opened at either end into Lake Huron or Lake Ontario we are wasting nearly $350,000 in making what can only be simply a ditch between Lake Simcoe and Newmarket. One living in that vicinity who knows anything of the situation has only to consider it to see what i means, and I for one protest against the government launching out into this expenditure. There is one consolation from a political standpoint, it shows the desperate straits to which the Postmaster General is reduced, because the respectable element of that riding will condemn this and it is certain grafters who have been driven out of the buildings at Toronto and now want to fasten on the vitals of Canada with some scheme for expenditure in North York who are securing this work. Any day you can see great crates of metal boxes for files, &c., being dumped into the departments from where? From the Postmaster General's town, Newmarket. They are sold by the $10,000 worth without tender. Go into any town or city and you will find the post office boxes made in the Postmaster General's riding paid for by the country at two figures; you see the boots, the articles worn by the post office employees away down in St. John and Halifax bought from small jobbers in villages in the Postmaster General's riding. Why is this done? To make for him a little political leverage, and it shows the desperate straits to which the Postmaster General is driven. I regret the Postmaster General is not here; had he been I might have had some spirit to say something, but in the absence of the Postmaster General it is like jumping on a corpse, and I for one refrain from doing so even at such an opportune moment. I say that the expenditure will never redound to the credit of the minister or the government, and the best thinking people of the riding of North York will look at the whole thing as one of the most preposterous and absurd expenditures any government in Canada ever undertook. Look at the face of it. You are going to take raw material to Peterborough. What raw material are you going to take to Peterborough? Timber? Let me tell the minister that all the territory adjacent to this ditch, which I suppose will be built and will be known in years to come as Mulock's madness or Mulock's mulishness—no, it will not be called Emmerson's folly, because it will be conceded that he was forced into it by the Postmaster General—is a country which has been farmed for a hundred years and there is not a stick of timber around it. What folly it is to talk of shipping grain from there to Montreal by water. Such a thing will never be heard of. You are only 30 miles from Toronto. The minister has been imposed upon and has been over-credulous in listening to the Postmaster General. Let the Postmaster General peddle some more cheap supplies out of the riding and, out of the great wealth given him, let him spend a few more thousands in a fight there and not spend this public money in this stupendous folly.

Mr. EMMERSON. I referred to a delegation that came from Newmarket. My hon. friend has in a very undignified way referred to them as grafters.

Mr. BENNETT. I know the crowd.

Mr. EMMERSON. My hon. friend says so and he gives them that name. One of the most eloquent spokesmen and strongest advocates was the gentleman who represents that riding in the Ontario legislature, Mr. Lennox. He gave facts and figures, and pointed out the necessity for this work. He strongly contended that it would be greatly in the interest, not only of his section of the riding he represented, but that it would be

of incalculable benefit to the districts through which the waters of the Trent flow. The hon. gentleman can be very valliant in the absence of the Postmaster General. I do not think anything he has said detracts in the least from the merit of this work.

Mr. BENNETT. Well, what trade does the minister suggest will come to Newmarket? Does he suggest that these piles will be floated down into the town of Newmarket, that they will be brought down by the Trent canal? What is there to be brought down? The minister cannot answer that question.

Mr. EMMERSON. I repeat what was said by the delegation. They pointed out many ways in which trade would be promoted, and named particularly many agricultural products that required a cheap mode of transportation. The same thing was said by representatives of the cereal company at Peterborough, who contended that by reason of the cost of transportation they were handicapped in their industry to such an extent that they even had to go to the United States, as they are nog doing, and bring over oats from that country.

Mr. BENNETT. What the minister says proves my position. The cereal company wished to have cheap communication, they wanted competition with the Grand Trunk. At present they bring their American oats from Midland over the Grand Trunk Railway, which has no competitor. If this canal were opened to Georgian bay it would be a competitor with the Grand Trunk, and in that way the company could get cheaper oats. The minister has forgotten their argument. I know that this company was within an ace, a little time ago, of building an elevator at Midland for this very trade, to elevate their oats there and handle them down, but they found the rates on the Grand Trunk would not pay them to do it.

Mr. CAMPBELL. The object of this grant is to open up the Holland river from the Georgian bay to the town of Newmarket, and then to Aurora.

An hon. MEMBER. And finally to Richmond Hill?

Mr. CAMPBELL. I do not think it will go as far as Richmond Hill. At any rate, it is about nine miles from Newmarket to Lake Simcoe, and an expenditure of about $300,000 opens up the Holland river and makes that a navigable stream as far as the town of Newmarket and on to Aurora. It will benefit and open up that country, and give them an outlet to the Georgian bay, and an outlet to the Trent Valley canal. The hon. member for Simcoe (Mr. Bennett) says that it is only a few grafters who want this canal. Now, Sir, the facts are that one of the largest and most respectable delegations that ever appeared before parliament came down advocating this scheme. Mr. Lennox, the Tory member in the local House, as the Minister of Railways has pointed out, was the chief spokesman on that deputation, which contained some of the most prominent Conservatives as well as the most prominent Liberals in that county. On that delegation were from 100 to 150 men, not only from Newmarket and Aurora, but from North York and all the municipalities throughout the county, advocating that canal. I think when they hear of the words spoken by the member for Simcoe they will not feel complimented by the terms he has used towards them to-night. He is very ready to cast slurs and insinuations when the Postmaster General is not present. I venture to say that if the Postmaster General was here to-night the hon. member for Simcoe would be as quiet as a lamb, and would not open his mouth. He is very bold when his opponents are away. I heartily approve of this work. I am sorry to say that it does not touch the county I have the honour to represent. But knowing the circumstances, knowing the trade that will be developed, the large number of factories now located at Newmarket and Aurora that are forced to bring their logs and material in to supply their factories——

Mr. BENNETT. Where do they get their logs?

Mr. CAMPBELL. They tow the logs up the canal from the Georgian bay ports, from any place where they can get them. They can also get their products out more readily by having the benefit of the home stretch on the Trent Valley canal. It is a work that will confer enormous advantage on the people of that northern part of the country, at a comparatively small expense, and I am amazed that any gentleman on that side of the House would have the assurance to get up here and speak of a work of that kind in the sneering manner the hon. gentleman has adopted. He evidently does not know the conditions, or else he is regardless of what he says in describing them, and misrepresenting them to the House. I say that no estimate has come down to the House this session that will confer anything like the advantages upon the people in that section as this comparatively small expenditure that is going to open up the Holland river and give communication to these two large and promising towns.

Mr. BENNETT. The remarks of the hon. member for Centre York (Mr. Campbell) show his business capacity and his brilliant ideas of trade. Now, that hon. gentleman, with the great knowledge which Providence has given him with such unsparing hand, has pointed out that the result of the construction of this canal from Lake Simcoe

is going to bring about changed results in lumbering operations in the northern part of Ontario, logs are to be cut at points on the Georgian bay, then they are to be towed down this canal, to cross Lake Simcoe to Newmarket and Aurora, and there be manufactured into lumber. Now that is a brilliant idea to be evolved out of a brain far more diminutive than that of the hon. member for York, the gentleman who has been, ever since 1896, knocking at the door of the cabinet to be taken in as a member. Why, the logs taken on the shores of the Georgian bay could be cut into lumber there, and then they could be shipped out by railway or water. But this brilliant business man suggests that after cutting these logs they are to be towed down through this canal, taken to Aurora and Newmarket, sawn into lumber there, piled again on to vessels and towed back to Georgian bay, and then taken around to Buffalo. A gentleman who has such hazy ideas of business must have a scarcity of business knowledge.

Mr. CAMPBELL. Well, if I have not any brains to spare, I cannot borrow any from the hon. member for Simcoe. He thinks all the brains are under his hat, but he has mighty few to spare. I did not say they were going to cut lumber at Newmarket.

Mr. BENNETT. You said that they were going to tow logs there.

Mr. CAMPBELL. They are going to tow logs but not to cut them into lumber. If the hon. gentleman knew anything of the circumstances he would not say that. There are factories at Newmarket which use large quantities of logs, making them into woodenware of different kinds. The Kane Company there use enormous quantities of logs although they do not make them into lumber. They do not want the logs for lumber, but they do want them for the woodenware that they manufacture. There are other factories that will use this canal when it is built and it will give them an outlet to the Georgian bay which they very much need. There is no doubt it will be a great advantage and the fact that 100 or 150 of the best men in the country, Conservatives and Reformers, came down and advocated this work, shows that they know what they want and which they will have, notwithstanding the insulting remarks made by the hon. member for East Simcoe (Mr. Bennett).

Mr. OSLER. May I ask the hon. minister how far the report he has goes ? Has he the elevations of Newmarket and Aurora officially ?

Mr. EMMERSON. There is a difference of 45 feet between Lake Simcoe and Newmarket.

Mr. OSLER. How about Aurora ?

Mr. EMMERSON. I have not got that.

Mr. OSLER. There has been a great deal of chaff, and now it seems that this canal is desired, because, as the hon. gentleman (Mr. Campbell) said, they want to tow logs. There is a very extensive manufacturing concern in Newmarket, but there is no guarantee that that factory will remain there a month. Any one conversant with business knows that if that factory at Newmarket had to be located again it would not be located at Newmarket. It is not a town that is suitable for a factory such as this, and there is no guarantee that it will remain there.

Mr. CAMPBELL. There is the guarantee of $100,000 worth of plant.

Mr. OSLER. As a matter of fact that factory makes a great many of its products out of hardwood logs. If you can tow a hardwood log up-stream it is something that has never been accomplished before. In regard to deputations, I do not think they should cut any figure. We know that they can always get a deputation of 100 or 5,000 people to come and ask the government to spend money for any object at all. There is no part of the country I am more familier with than the section between Aurora and Newmarket and Lake Simcoe. I was born within a few miles of there and for twenty odd years I have lived in the summer at Cook's Bay, where this canal is to enter. I have driven every summer along the road passing through Newmarket and Aurora and I have gone up at least twice a week for three months every summer for the past twenty years. I make this statement : that in summer at Holland Landing and at Newmarket there is often hardly enough water in the river to allow the boys to bathe, and passing by the railway track between Holland Landing and Newmarket you find that the boys put up a mud dam across the river so as to give them open water of a sufficient depth to bathe in. I make that statement from my knowledge, from having travelled through that country for the last twenty years at least twice a week in summer, and I say that a more absurd proposition was never put before this House for the expenditure of public money. It is impossible to carry it out. In years gone by Lake Simcoe was perhaps the centre of the lumber manufacturing industry. There were enormous mills at Belle Ewart and Bradford. The logs were towed from Lake Simcoe to Bradford and Belle Ewart. I suppose that the last log that was towed on that lake was towed 15 or 20 years ago. Every mill has been pulled down or burned down if it was possible, and there is not a foot of lumber tributary to that lake. Newmarket is 30 odd miles from Toronto, with an electric railway system running freight and passengers, with the Grand Trunk Railway besides, while it is probable that the new James Bay road will go close to the town, and the idea of spending

$300,000—and we know it may mean $600,000—to open a channel between Aurora, Newmarket and Cook's Bay is absurd. Cook's Bay is very shoal. For 15 years I have had a steam launch on Lake Simcoe and there is no one except a person who has been brought up on the lakes who can run a boat drawing three feet of water into Cook's Bay in the direction of this canal. I would no more think of allowing my family to go in the direction of this proposed point of junction of the canal with Cook's Bay without trained captains than I would think of allowing them to go out in a canoe on Lake Ontario. The thing is absurd. It is so great a joke that it is an astonishing thing that any one would put on paper the suggestion to put such a canal in such a place. If the hon. minister will read the interim report which he has it will probably give us some information, and at all events enable us to judge upon what grounds the minister recommends this expenditure of $300,000.

Mr. EMMERSON. I have merely an estimate.

Mr. OSLER. The estimate must be based about something, and I think it is due to this committee when the hon. minister proposes to expend $100,000 as a preliminary and $300,000 on the work, that he should read the report and let us see how far the survey has gone.

Mr. R. L. BORDEN. I understood the hon. minister to say that he had a report which said that this scheme was entirely feasible and practicable.

Mr. EMMERSON. I have no interim report of that character.

Mr. OSLER. The hon. minister said that the feasibility had been settled.

Mr. R. L. BORDEN. By a report, I think.

Mr. EMMERSON. The engineer reported to me that it was feasible, but I have no formal written report. He gave me in conjunction with his verbal report an estimate.

Mr. HAGGART. Whose report is it?

Mr. EMMERSON. It is the report of Mr. Walsh, the engineer in charge.

Mr. HAGGART. Have you no report from the deputy head of the department as to the feasibility of this scheme?

Mr. EMMERSON. It is in charge of the special engineer appointed to make these surveys.

Mr. HAGGART. But the department is responsible. He is the servant of the deputy head. You surely have a report from the deputy head as to the feasibility of the scheme?

Mr. EMMERSON. We have a report and an estimate.

Mr. HAGGART. I do not care about the estimate.

Mr. OSLER. Your first estimate ought to be as to the quantity of water that can be obtained.

Mr. EMMERSON. The canal is to be of the same standard as the Trent canal, distance about 10 miles and the width 60 feet.

Mr. HAGGART. You said 45 feet.

Mr. OSLER. The difference between the level of Lake Simcoe and the level of Lake Ontario is about 200 feet, and the height of land between Lake Ontario and Lake Simcoe about 700 feet.

Mr. EMMERSON. There are 20,200 cubic yards of rock at $6, $121,200; lock sills, $1,440; iron, $400; lock gates, $36,000; dredging, 172,088 cubic yards at 16 cents, $27,534.08; earth excavation, 220,666 cubic yards at 22 cents, $48,546.52; high level wooden bridges with approaches, four bridges at $5,000 each, $20,000; clearing 20 acres, $500; fencing 3,680 rods at 90 cents, $3,312; right of way and flooded lands, 150 acres at $40, $6,000; dams (estimated) $20,000; unwatering, $5,000; canal bank protection, $4,000; miscellaneous items, $5,000; add for contingencies 10 per cent, $29,893.26; total, $328,825.86. The above estimate is only approximate and will be subject to revision upon the completion of survey.

Mr. KEMP. How is the canal to be supplied with water?

Mr. EMMERSON. By the stream, of course.

Mr. OSLER. What stream?

Mr. EMMERSON. The Holland river.

Mr. OSLER. The Holland river flows into Cook's bay through one of the biggest duck marshes in the country and then there is about two miles of a deep river with a muddy bottom and with such weeds that no row-boat can go up except at day light. So full of weeds is this for two miles that the little launch I had there for years and used occasionally to take the boys up to play cricket, had to be taken off because we could not turn without getting into the rushes. From the junction of the two branches of the Holland river, one branch going to Bradford and the other to Holland landing and Newmarket, there is a little rill with so scant a supply of water that often in the summer-time driving up there I have seen the boys put a dam across it in order to get enough water for them to bathe in.

Mr. R. L. BORDEN. It is just as well to change this appropriation to build a summer hotel on the duck marsh.

Mr. BENNETT. That is about right.

Mr. OSLER. I was driving the other day to a fishing camp and I saw on one side of a field a little sawmill built over a gully about 6 feet deep, and the floor of the sawmill was about 6 feet above the level of the ground. I asked the driver what it was and he told me that some crazy chap thought he was bringing water up to run a sawmill about 6 feet above the level of the ground where there was no water except the spring and then the water never got within four feet of the mill. The building of this canal is on a par with that, except of course it will be at much greater cost. There is no water to supply this canal when it is built.

Mr. EMMERSON. Holland landing is quite near that point and it was one of the original termini of the transportation from the Georgian bay down to that section.

Mr. BARKER. How many years ago ?

Mr. EMMERSON. I do not remember exactly. I do not think the weeds to which my hon. friend (Mr. Osler) refers are a great barrier to the carrying out of this work.

Mr. OSLER. Yes, because from Cook's bay to the junction of the two branches of the river there is quite a lot of deep stagnant water, but from that point to Holland landing must be about six miles. The minister says that Holland landing was formerly the beginning of navigation. During the war of 1812 the British government required an anchor on the northern lakes and they started to draw the anchor by ox team to Lake Simcoe, but peace having been declared during its transit that anchor is now the main ornament in the Holland landing park, and it is ten miles away from any navigable water. There was no navigable water in 1812, so that the minister must be referring to a very long time back. The other point which I mentioned is that Cook's bay is shoal, gravel heaps, great masses of stone, and it is practically unnavigable because I have fished for bass over that place for the last twenty years and I know something about it. The thing is an impossibility.

Mr. BARKER. I have some little knowledge of that district, and I know that the lumber trade at the south of Lake Simcoe practically ceased 25 years ago, I recollect very well a gentleman named Schrieber who lived at Belle Ewart the southern part of Lake Simcoe, and who stayed there until there was no more trade and the rails were taken up. Within ten years I have seen the old ties lying there and there is not a rail down to Belle Ewart and no track. The old steamer that used to ply there, the 'Emily May' is lying there sunk, and the only lumber which has for many years been manufactured in that part of the country was some that was manufactured until recent years at Bradford. The talk of building a canal there in connection with anything like a trade in timber or lumber is absolute nonsense. The hon. minister need not go outside of his own department to find out all about that.

Mr. KEMP. It seems to me that the most serious part of this matter is that the minister has not got a report from a competent engineer as to the way in which it is proposed to supply this canal with water. He is not aware of the fact that the Holland river is on a level with Lake Simcoe, and that it will be necessary to raise the water in the locks sixty feet high. There are no streams to furnish this canal with water. The engineer says nothing about that. We are committing ourselves to an expenditure of $328,000, perhaps more, because nothing is said in regard to the approach to this canal at Cook's bay, which is very shallow. Is it not an absurd proposition to ask this House to commit itself to the construction of a canal of this kind, when it is proved that there is no water to supply it unless it is pumped sixty feet high to the highest part of the canal, which is an impossibility.

Mr. EMMERSON. I am informed by the engineer that there is ample water for the purpose. I had no formal report, and the engineer was not to make that report until he had the surveys completed. That water is supplied by storage reservoirs.

Mr. OSLER. Newmarket is supplied with wells and with ponds, so that I take back all I have said.

Mr. EMMERSON. I did not suppose that my hon. friend would take back anything, he has so much wisdom concealed about his person. But that does not affect the statement of the engineers to myself with respect to there being an ample supply of water, which could be utilized by means of storage reservoirs. The dredging for the purposes of the reservoirs is all provided for in the estimate.

Mr. OSLER. Is the navigation of Cook's bay also included ?

Mr. R. L. BORDEN. The unbusinesslike part of this matter seems to be that the minister comes here and tells us that there is a report, but he does not produce such a report. I do not think he ought to ask parliament to vote this sum of money unless he has a statement from an engineer detailing the information on which he can act. We get crumbs of information as to what the engineer says can be done ; but what we want is some responsible person to declare on his reputation as an engineer that this is a feasible and a practicable work, and we have not got that. I

do not think the minister should ask for this vote when he has nothing to present to the House but a very fragmentary statement of some oral report made by the engineer. The engineer either has or has not made a sufficient examination and survey to enable him to say whether this work is feasible and in the public interest. If he has made such a report, the minister should bring it down to the House. If he has not made such a report, the minister should not in the meantime ask for the appropriation. That is the businesslike way to look at it. I think the minister would do well to withdraw this vote until he has that information to present to the committee.

Mr. EMMERSON. I have given the committee ample information. It does not detract from a report because it does not happen to be in writing. The information which we get from engineers must necessarily at times be oral. The survey was not completed. I wanted to know the approximate cost of the work. The survey was pending, and an approximate estimate was given. Upon that report, that the work was feasible, and that its cost would not exceed $328,000, I am justified, it seems to me, in order to expedite the work, in asking parliament to vote $100,000 towards it. To await the final completion of the survey would mean delay, and there is no necessity for that under the circumstances. I think the House would be justified in voting the money.

Mr. KEMP. May I ask the minister if there is included in this vote a provision for the storage reservoirs to which he refers ?

Mr. EMMERSON. Yes.

Mr. KEMP. The estimate does not say that.

Mr. EMMERSON. I understand that it provides for everything—concrete work, dredging in Cook's bay and all the work necessary for utilizing this stream for ten miles.

Mr. OSLER. The report of the engineer which the minister read did not mention these reservoirs.

Mr. EMMERSON. I mentioned earth excavation, dredging and dams, which are all included.

Mr. BENNETT. How many feet higher is Aurora than Newmarket, and how many feet higher is Newmarket than Lake Simcoe or Cook's bay ?

Mr. EMMERSON. The survey does not go to Aurora, as I understand.

Mr. BENNETT. Then this work can only be carried to Newmarket. It is not intended to go to Aurora ?

Mr. EMMERSON. It is intended to cover ten miles from Newmarket to the lake.

Mr. BENNETT. Has the minister a plan of the work that he can lay on the table of the House ?

Mr. EMMERSON. I have not. I stated to the committee that the survey has not been finally completed.

Mr. BARKER. I ask the minister to give me the distance from Newmarket to Trenton, as against the thirty-two miles to Toronto ?

Mr. EMMERSON. About 218 miles.

Mr. BARKER. They are going 218 miles to get to Trenton, instead of 32 miles to reach the lake at Toronto. What is the distance from Newmarket to Waubaushene, or wherever you are going to strike the Georgian bay ?

Mr. BENNETT. I think that arsenal of information, the hon. member for Centre York (Mr. Campbell) should really come to the rescue of the minister.

Mr. INGRAM. The Public Works Department promised, in submitting their estimates to the House to give all the necessary information about them, stating what the actual cost will be. The hon. minister cannot say that this work is so urgent and important that it must be done at once. Let the matter stand over until fuller information be got and a plan laid on the table, so that we may all know what the government intend doing. This work will never be completed for the figures he has given. It is absurd to suppose that he can build dams for $20,000. He said nothing about Cook's bay dredging.

Mr. EMMERSON. I said that was provided for in the dredging, the total cost of which would be $48,546.52.

Mr. W. WRIGHT (Muskoka). Is this to be part of some comprehensive scheme? Is it the beginning of a canal which is intended to be extended to Toronto or is to finally end at Newmarket? In the latter case, the expenditure will be one of the most useless ever undertaken. You might as well throw the money away. What benefit would it be to the country to open up a canal four or five miles up the Holland river? I protest against this expenditure unless the canal is to be extended to Toronto.

Mr. EMMERSON. It has never been proposed to extend it to Toronto.

Mr. R. L. BORDEN. How do you get the water which is to be stored up in these reservoirs?

Mr. EMMERSON. From the streams above.

Mr. R. L. BORDEN. What streams ?

Mr. EMMERSON. I am not sufficiently familiar with the names, but there are streams above there.

Mr. OSLER. There are no streams above there.

Mr. INGRAM. We have a statement by a gentleman who knows the country well, and yet, in the face of that statement, the hon. minister persists in saying he will get water from the streams running above. If we had a written report of the engineer, we would know.

Mr. OSLER. Look at the map and you will find that the height of land is within three or four miles of Newmarket and that there is a little stream, the Holland river, running to Newmarket and about ends there, and that a few miles down, the streams begin running into Lake Ontario, so it is practically the height of land.

Mr. EMMERSON. The distance from Newmarket to Georgian bay by the Severn river is approximately 80 miles.

Mr. BARKER. Then you would have to go around into Lake Ontario for your local traffic ?

Mr. R. L. BORDEN. If there are no streams, of what utility will be this reservoir ?

Mr. EMMERSON. The engineer advises me that there are streams and plenty of water for the purpose of this canal.

Mr. R. L. BORDEN. Where are the storage reservoirs to be situated ?

Mr. EMMERSON. I have not the plans. I have simply stated what I had; and pending a final report I asked parliament to vote $100,000 on the ground that it will not cost more than that and that it is a feasible undertaking.

Mr. R. L. BORDEN. It is not feasible unless you can have these storage reservoirs.

Mr. EMMERSON. In that case the work will not proceed; but if we were to wait for a final report, it would be impossible to start this season.

Mr. R. L. BORDEN. Inasmuch as the country has survived the non-existence of this work the last 150 years, we might wait a few months for further information. I would like the minister to state where the storage reservoirs are to be situated. They must be located in accord with the position of the stream.

Mr. EMMERSON. I do not think it is important for me even to know where they are to be located. What is sufficient is to know that there is ample water for these reservoirs.

Mr. R. L. BORDEN. I understand the canal is about ten miles in length. Are there to be any in the lower five miles or are they all to be in the upper ?

Mr. EMMERSON. I presume they will be in the upper portion, from the necessities of the case.

Mr. R. L. BORDEN. They are to be fed by streams and we have them located within five miles; but we have a gentleman in this House from that part of the country who says there are no streams there.

Mr. EMMERSON. I have the assurance from the engineer that there are streams.

Mr. R. L. BORDEN. He did not say how many, did he ?

Mr. EMMERSON. I did not ask, I was content with the general statement, with the assurance knowing that before the amount could be expended, before the department would act upon it, the report of the engineer with the plans would be in the department and then action would be taken but not until then. In the meantime, in order to avoid delay, a vote for this amount on account is being asked from parliament.

Mr. ARMSTRONG. What time of the year did the engineer make the surveys ?

Mr. EMMERSON. They were commenced after the last session, I think in August or September.

Mr. KEMP. I think it is undesirable for this committee to pass appropriations on such vague information as we have before us. The hon. member for West Toronto (Mr. Osler) was brought up in that part of the country and travelled over it in summer twice a week, and knows the country as thoroughly as we know the walk between here and Wellington street. The hon. gentleman has said that the purpose is to supply this canal with water by storage reservoirs, these reservoirs to be supplied by streams. I am informed that in summer there is only one little stream which has a little trickle of water going through it, about four inches wide, although at certain places it spreads out. The engineer has given some information with regard to this, but I cannot conceive that the engineer has said to the minister that it is practicable to operate that canal, to open and close the locks continuously during navigation. I do not think the engineer could have gone that far.

Mr. EMMERSON. I have stated that he did.

Mr. KEMP. I did not understand the minister to say that the engineer had stated that there was sufficient water.

Mr. EMMERSON. I stated that there was ample water for the canal and I made that statement on the report of the engineer.

Mr. KEMP. But the engineer has not put that report in writing.

Mr. EMMERSON. I stated that.

Mr. KEMP. I think it is unreasonable that this committee should be asked to pass such a large appropriation as this on the information we have before us.

Mr. WM. WRIGHT. I do not think water would be at all necessary for this canal; there will never be any boats there and there will be no use for it. I do not know that we need haggle about water.

Mr. R. L. BORDEN. Why not change the appropriation and make it a ship railway?

Mr. EMMERSON. Hon. members opposite all seem to know so much about this. We have learned from the hon. member for West Toronto (Mr. Osler) that he had a launch up there for fifteen years, that he went around in that launch and he has made certain statements with respect to the depth of water he found at different points. I have great respect for that hon. gentleman and his knowledge and memory, but I have, as counter to that, the exact statement of the engineer as to the ample supply of water for all purposes and as to the feasibility of this work. That necessarily must be confirmed by a written report from him and before any action would be taken with respect to the construction of the work; that report accompanied by plans would necessarily be in the department. Pending that, I think I am justified in asking parliament to vote this money notwithstanding the statements of hon. gentlemen opposite. The engineer had no interest in making the representations that he did to me. I know my hon. friends indulged in a little by-play and the leader of the opposition is facetious and wants a ship railway. He remembers the one that was started down near Amherst under the former administration and he suggests that we should have one here, but that is aside from the question altogether. There is the proposition and there is the statement of the approximate cost, there is the report to me, not in writing it is true, but to be confirmed before further action by a full and complete report in writing that this is feasible, that it can be carried out and that the cost will not exceed a certain sum.

Mr. OSLER. With all due deference to the minister, I think he is paying very little respect to the members of this House when he asks an appropriation for a work to cost $300,000, when the engineer has only reported verbally. He does not condescend or think it is worth while to ask the engineer to put in writing a report, and this House is asked for an expenditure of $300,000, although the survey was begun last August. The Minister of Railways is, I think, acting in a most cavalier manner towards the House. He says in effect: I have given you enough information—but he has not given us any, and he does not think it worth while to get a report in writing from the engineer. This matter should not be disposed of as if it were a matter of a few dollars.

Mr. R. L. BORDEN. I do not regard the statement of the engineer, which doubtless occurred in conversation, as equivalent to the report we ought to expect on the survey which has been in progress for nearly a year. There is really no report whatever. It is true that armed with a mere casual conversation the minister has the advantage of being able to make it fit every difficulty presented by this side. It would be much better if we had an exact statement as to the details of the scheme. If the survey is sufficient to justify this vote there should have been a written report, if the survey is not sufficiently advanced then the minister should delay the appropriation. The only suggestion in answer to that has been the possible delay. I venture to say that no one in this House will imagine that the interests of this country will suffer by delay from this time until next January or February in respect of this canal. That country has got along without it for 100 or 150 years, and I do not think any crisis will result from delaying this vote until January or February next when that information can be before this House. It looks as if there was something behind it which has not been disclosed to the committee, otherwise this information would have been brought down in the regular way and submitted to the House.

Mr. KEMP. May I ask the Minister of Railways if he is not willing to postpone this vote until we are able to get a report covering the whole ground?

Mr. EMMERSON. I do not see the necessity. There has been no argument advanced to convince the committee that it would not be advisable to pass a vote for this amount on account of this work, which vote would not be expended until the necessary information was given to the committee, a plan accompanied by a full and ample report. I consider that it would be delaying the work unnecessarily.

Item carried on division.

Trent canal—surveys for dams taken over by the Dominion government, $6,000.

Mr. EMMERSON. I would like to amend that by making the item read this way: 'Surveys for dams proposed to be taken over by the Dominion government.' Negotiations were commenced some months ago with the Ontario government while Mr. Ross was premier, and they are being continued under the present government. The officials of the Department of Railways and Canals have arranged with the Ontario government to take over these dams.

Mr. HAGGART. Are you paying anything for the dams ?

Mr. EMMERSON. No, but we assume the cost of maintenance and repair. They are above Healey's Falls, on the waters of the Trent Valley canal. We assume liability for their maintenance.

Mr. OSLER. I have an idea that these dams are practically private interests, they are dams to increase water powers, built in a private interest altogether; and private interest is endeavouring, through the Ontario government, to transfer these to the Dominion government.

Mr. EMMERSON. They are in the public interest. If that canal goes to Trenton it will be absolutely necessary to have these waters conserved. It is a question whether they should be conserved at the expense of the Ontario government or at the expense of the government of Canada. The waters must be conserved to aid in the navigation of the Trent Valley canal. The arrangement has been fully gone into, officials of the Railway Department were in Toronto within the past fortnight carrying out negotiations. But the arrangement has not been finally completed by an Order in Council of the Ontario government.

Mr. HAGGART. How many dams are there ?

Mr. EMMERSON. There are 15 or 20. They were built by the Ontario government in connection with lumbering operations, to raise the water in those streams.

Mr. BARKER. Are these dams on the Trenton line or on the Port Hope line ?

Mr. EMMERSON. They are not on either line, they are near to the Muskoka lakes, at the north end.

Mr. HAGGART. Are there any conditions attached about keeping them in repair ?

Mr. EMMERSON. We are abliged to keep them in repair, and we will have to employ men to look after them and regulate the water.

Welland canal—electric lighting and power plant, $40,000.

Mr. EMMERSON. This amount is required to pay for work done during May and June; it is in excess of the sum of $100,000 voted for 1904-5. There has been a change from the original scheme to one installing a high voltage line from Thorold to Port Colborne. Under the original idea the sum voted last session would complete the work; but it was subsequently determined to construct an elevator at Port Colborne and to use electricity in the work of the elevator; therefore it became necessary to expend more money.

Mr. W. F. MACLEAN. Where is the power generated ?

Mr. EMMERSON. By the Cataract Power Company.

Mr. W. F. MACLEAN. How much are you paying per horse-power ?

Mr. EMMERSON. Only for what we use.

Mr. W. F. MACLEAN. I would like to know the rate per horse-power ?

Mr. EMMERSON. We have a contract for 550 horse-power, I think we pay $14 per horse-power.

Mr. W. F. MACLEAN. I am glad to get that information in connection with the generation and distribution of power from the falls to the province of Ontario. I am glad to hear that the government is getting power at $14, because a proposal is being made in Toronto to charge $40 per horse-power generated at the falls and transmitted over the new line, and this may have a bearing on what we will have to pay in Toronto for horse-power of this character. Did I understand the hon. minister to say that it is only $14 per horse-power ?

Mr. EMMERSON. My memory was that it was $16, but I am assured by the engineer that it is $14.

Mr. W. F. MACLEAN. That is from the Cataract Power Company ?

Mr. EMMERSON. Yes.

Chambly canal—to strengthen banks, $6,000.

Mr. EMMERSON. The unexpected weakness of the banks showed itself just in May and that is the reason for our not making any provision in the main estimates. It is found necessary to spend this amount.

Chambly canal—to macadamize road west side of canal, $4,800.

Mr. R. L. BORDEN. Why do we macadamize the road ?

Mr. EMMERSON. This is for macadamizing 2¼ miles of road in addition to the 1¼ miles which have already been done. This amount will complete it.

Mr. HAGGART. Is this the tow path ?

Mr. EMMERSON. No, it is the road.

Mr. HAGGART. Why are you macadamizing the road ?

Mr. EMMERSON. This road is on government land and this work was commenced some years ago. There has been an amount voted each year.

Lachine canal—walls, St. Gabriel basin, No. 1, $12,500.

Mr. BERGERON. What is the whole amount of the work at St. Gabriel basin ?

Mr. EMMERSON. This is to rebuild the walls in St. Gabriel basin No. 1. The wall around the basin was built in 1873. It

consisted of cribwork and it is rotten above the water line. It is proposed to build it in concrete. The total estimate of the cost of a wall 4 feet high is $12,500.

Mr. BERGERON. Is that a new work ?

Mr. EMMERSON. Yes.

Mr. BERGERON. Who is doing the work ?

Mr. EMMERSON. It has not been let yet.

Mr. BERGERON. Is it going to be done by contract ?

Mr. EMMERSON. Yes.

Trent canal—contribution towards construction of a bridge across McLaren's creek, $2,500.

Mr. HAGGART. How do you become liable for McLaren's creek bridge ?

Mr. EMMERSON. This amount is asked for as a contribution towards the construction of a roadway across the swamp at McLaren's creek in the county of Victoria in order to shorten the distance below the town of Lindsay and the village of Fenelon Falls some three miles. The original appropriation was made on the ground that the water had been raised in consequence of the construction of a dam above Bobcaygeon and this made it necessary to raise the road by bridging causing a very great extra cost for the construction of this road. The work is to be done by the municipality. This is only a contribution. The estimated cost of the whole work is $5,500, the department contributes $2,500 and the municipality provides the rest. This was provided for on a former occasion, but the municipality failed to carry out its undertaking and the contribution was not paid over. Certainly it will not be paid over now unless it does its part. I would like to amend the item by substituting the word 'road' for the word 'bridge.'

Mr. HAGGART. As this is nearly the last item for canals I wish to direct the attention of the hon. minister to a very similar case that occurred in my own constituency. There is a petition from the council of North Elmsley and South Elmsley asking a contribution for keeping in repair a road near the Poonamalie dam. By the erection of the government dam there the road is flooded to such an extent that the municipalities are put to great expense to keep the road in order. The engineer of the department has reported that the government ought to be liable for a contribution towards the repair of that road, as the building of the dam entailed this extra expense on the municipalities. Deputation after deputation has waited on the minister.

Mr. EMMERSON. Do you mean they waited on me ?

Mr. HAGGART. Yes, sir.

Mr. EMMERSON. I have no recollection of it.

Mr. HAGGART. I accompanied a delegation at one time to see you—I beg pardon, I think it was Mr. Blair.

Mr. EMMERSON. It must have been.

Mr. HAGGART. At all events I have stated the facts. The engineer has reported that the erection of the dam has entailed the extra cost on the municipalities and yet nothing has been done by the government. I suppose it is because a part of the road is in South Lanark and the other part in Leeds and Grenville that the people have not got justice.

Mr. BERGERON. They got cold justice.

Mr. HAGGART. That is all they got. There is another matter I wish to bring to the attention of the minister. Last spring the Poonamalie dam was washed away, causing considerable damage to persons below who had their buildings swept away, and a delegation waited on the minister.

Mr. EMMERSON. I remember that.

Mr. HAGGART. Does the minister intend to compensate these people, or as an alternative will he recommend that a fiat may issue for a petition of right so that the justness of the claim may be tested in the courts. It is stated by the government that the break was caused by force majeur, that the government is not liable. That is ridiculous in view of the fact that this old dam was erected in 1832, and as the lake is 25 miles long and some miles wide it would take an extraordinary freshet to raise the water over three feet. I understand the Minister of Justice said there was no liability, but will the Minister of Railways recommend the granting of a fiat to enable these people to sue the government ?

Mr. EMMERSON. With reference to the roads in the townships of North and South Elmsley, I have never heard of the matter before, but I will have the reports looked up and if my hon. friend will drop me a note giving me the particulars, I will be glad to go into the question. As to the other matter, the damage was caused in the spring of 1904; the question was looked into at the time, and I referred the papers to the Department of Justice. I think their opinion was that the government was not liable, but the suggestion made by the hon. gentleman (Mr. Haggart) is a fair one. I will get the papers and with the concurrence of the Minister of Justice I will be quite willing to have the legal points settled by the Exchequer Court as to the liability of the department.

Mr. HAGGART. That is not satisfactory, the Minister of Justice refused to grant a fiat.

Mr. EMMERSON. So far as our department is concerned I would have no objection.

Mr. HAGGART. I understood from the parties that they have been refused a fiat.

Mr. EMMERSON. I do not think I have been consulted in the matter.

Mr. R. L. BORDEN. If the Minister of Railways says that he is willing if the Department of Justice would concur, that would be sufficient.

Mr. EMMERSON. I think it would be simple justice to the parties to give them an opportunity to prove their claim at law. I have no desire to be a bar to that.

Mr. AMES. In the main estimates for the Department of Marine and Fisheries we noted that certain dredges which were being constructed were being charged to capital account, and the Minister of Finance explained at the time that this was customary. In this case you are constructing dredges and charging them to income, which seems to me to be the proper way. There seems to be a lack of uniformity between the two departments in this matter. In the Railway Department dredges are charged to income and in the Marine Department to capital. One or other system should be followed.

Mr. EMMERSON. This vote is for repairs or the rebuilding of a dredge and is properly chargeable to income, while the dredge in the Marine Department was a new dredge in connection with construction work.

Cornwall canal—rip-rap face stone between the locks, $7,500.

Mr. BERGERON. Is this work done by the employees of the government?

Mr. EMMERSON. It is done by contract.

Mr. BERGERON. Who got the contract?

Mr. EMMERSON. Mr. W. M. Lacey, of Prescott, the lowest tenderer.

Contribution of the government railways to the faculty of McGill University towards the foundation of a school of railway transportation in general in connection with the faculty of Applied Science, $2,500.

Mr. BERGERON. Is this an annual contribution?

Mr. EMMERSON. Yes. The great railway corporations—the Canadian Pacific Railway, the Grand Trunk Railway and the Canadian Northern Railway have entered into an arrangement with McGill University for the creation of a railway department. The Department of Railways was approached on the matter, and it seemed to be fair that the government railways should make some contribution to this chair or department, which must certainly work out great good for the young men of this country, giving them an opportunity such as has not existed before in Canada of getting a technical railway education.

Mr. BERGERON. I think it is a very good object; but I might remind my hon. friend that besides McGill University, which is a first-class university, we have in Montreal a school called the Polytechnique School of Laval University, where a great many young men are studying in the same branches. A demand may be made there for the same purpose, and if the principle is adopted in this case, it will be hard for my hon. friend to refuse it in others.

Mr. EMMERSON. When this matter was brought to the attention of the department I entered very fully into that feature of it. I thought the government railways would not be justified in contributing to one institution and not to others. Principal Peterson approached me on the subject first. I pointed out to him that this would be opening the door to demands from other institutions in different provinces, and before I consented to submit this to parliament I had an assurance from him that every other university in Canada would concur in this vote, which would not be used as a precedent for a contribution by the government to any other educational institution. This is not a grant to the university; it is given to a committee formed by the several railways, which have representatives on the committee. The government is to have, if we wish, one representative. They have made arrangements whereby a special technical training will be given in the science department of McGill Universitiy to any student who wishes to fit himself for railway work.

Mr. KEMP. What is the total amount that is being contributed for this purpose?

Mr. EMMERSON. The Canadian Pacific Railway Company gives $5,000, the Grand Trunk Railway Company gives $5,000, the Canadian Northern Railway, I think, $2,000, and the proportionate amount which I thought was fair from the government railway system was $2,500.

Salaries of engineers, draughtsmen and extra clerks, and messengers, notwithstanding anything in the Civil Service Act to provide for the following increases, G. A. Mothersill, $100; W. L. Leslie, $100; R. S. Reid, $50; M. O'Neil, $50, $300.

Mr. AMES. Is this G. A. Mothersill the same gentleman who about eighteen months ago was appointed special commissioner to inquire into the claims against the Atlantic and Lake Superior Railroad, and whose report prepared after several months of care-

ful investigation was for some reason not acted upon, but another report substituted?

Mr. EMMERSON. Mr. Mothersill was sent down to inquire into the bills against the Atlantic and Lake Superior Railway Company. Later on there did not seem to be sufficient evidence and a justice of the Superior Court of Quebec was appointed to go and take evidence in respect to these very same claims.

Mr. AMES. Was not Mr. Mothersill's report complete and satisfactory?

Mr. EMMERSON. The evidence did not seem to me quite complete. He is not a lawyer, and there seemed to be lapses in it.

Mr. AMES. Were some claims thrown out by Mr. Mothersill which should not have been thrown out ?

Mr. EMMERSON. No; there was no question of the kind. There is only a question of having a record of the claims that could be legally taken into consideration under the law.

Mr. AMES. As you are giving this man an increase of $100, evidently you regard him as a valuable officer.

Mr. EMMERSON. Certainly ; but he is not a lawyer, and might not be fully qualified to hold an investigation and get all the facts, because of his want of legal training. That, however, should not militate against him as regards his qualifications for his duties in the department.

Mr. HAGGART. What salary is he getting now ?

Mr. EMMERSON. This will give him $2,100.

Trent canal—staff on dams taken over by Dominion government, $3,000.

Mr. HAGGART. Do the Ontario government pay $3,000 for the staff ?

Mr. EMMERSON. Yes.

Mr. BERGERON. Have the government taken the precaution to disclaim responsibility for any damages that occurred before these were taken over ?

Mr. EMMERSON. Yes ; there can be no question about that.

Mr. HAGGART. In taking over those dams from the Ontario government, you should get them absolutely without any claim for easement.

Mr. EMMERSON. Yes ; that is made very clear.

Additional to pay persons employed permanently in the public service, and remuneration to any other persons for services rendered for and in connection with passing vessels through the canals of the government of Canada, from midnight on Saturday to midnight on Sunday, notwithstanding anything in the Civil Service Act, $2,000.

Mr. AMES.

Mr. HAGGART. Why this increase of $2,000 over last year ?

Mr. EMMERSON. It is due to the increase in wages. We have been obliged to add to the wages of the men on all the canals. Last year we provided $18,000, then we had supplementaries this session to round out the total of last year.

Mr. HAGGART. What is the amount of the supplementaries in all ?

Mr. EMMERSON. $20,000 was the amount last year. The extra amount to increase wages came to about $2,000. Some increases were made last summer, but since then we have made further advances. That is to say, certain classes of the men were increased last year, but I went over the whole list and have made additional increases since then, and since the main estimates were prepared and submitted to parliament.

Intercolonial Railway—working expenses $1,250,000.

Mr. EMMERSON. This is the usual vote only it is increased. The amount last year was $6,500,000. Now we provide in the main estimates $7,000,000 and we will have to take in addition to that, owing to increased wages, $1,250,000, and I am in hopes that it will not be necessary at the next session for parliament to ask further supplementary estimates.

Mr. BERGERON. This is nearly $2,000,000 more than last year ?

Mr. EMMERSON. No, we had to ask for nearly $2,000,000 in the supplementary estimates during the present session.

Mr. HAGGART. What has this to do with supplementary estimates ? It is for the ordinary running expenses of the Intercolonial Railway.

Mr. EMMERSON. I did not desire to have a supplementary estimate next year. This is to guard against that.

Intercolonial Railway—strengthening bridges, $150,000.

Mr. HAGGART. What is the total expenditure in this service ?

Mr. EMMERSON. The total expenditure to April 30th, 1905, in strengthening bridges was $1,144,048.37.

Mr. HAGGART. That will complete the whole scheme ?

Mr. EMMERSON. The total estimated cost is $1,828,011.74.

Mr. HAGGART. Three or four sessions ago we were given information that $800,000 would cover the whole amount. How is it that it now runs up to $1,800,000.

Mr. EMMERSON. I gave the figures last year and gave the details. Now we are asking $150,000 to expend on account.

Mr. HAGGART. This is necessitated by the increased size of the locomotives. How do you run over the bridges at present ?

Mr. EMMERSON. We do not put our heavy locomotives on certain sections of the road where the bridges have not been strengthened.

Mr. HAGGART. One of these is at Sackville where the heavy locomotives run.

Mr. EMMERSON. It was not sufficiently strong, it was found to be too weak.

Mr. AMES. The day before yesterday I had an opportunity of examining the new bridge over the Restigouche at Metapedia, which replaces a bridge previously in use and I noticed that the iron structure of the old bridge had been piled up at one end of the new bridge and was lying there. What disposal is made of the old material in such cases?

Mr. EMMERSON. That material is there under an arrangement between the provinces of Quebec and New Brunswick. It is proposed to utilize that material in the construction of a highway bridge. There is an item in the estimates referring to the matter. It is an interprovincial bridge. The custom as between Ontario and Quebec has been for the federal parliament to make appropriations to the interprovincial bridges and the appropriation which the Dominion government proposes with respect to this particular bridge across the Restigouche at Metapedia is the old structure. The provinces will bear the expense of erecting it and putting in a sub-structure.

Mr. AMES. Not only there, but at numerous points along the Intercolonial Railway there are piles of old 60 pound rails which have been replaced by the present heavy rails. These rails are now covered with rust and each successive season they grow rustier. I would ask whether any attempt is made to dispose of these rails while there is still value in them ?

Mr. EMMERSON. Very recently I did offer those rails for sale by tender. Tenders have been received but no sales have been made, for the reason that I wanted to confer with some officials at Moncton before concluding any arrangement.

Mr. W. F. MACLEAN. What offer did you get for them ?

Mr. EMMERSON. I do not think it would be proper for me to disclose that information, particularly as the offers have not yet been acted upon. Notices were sent to everybody in the maritime provinces, in Montreal and Toronto, who would be likely to want those rails. We also put up posters in the stations along the line.

Mr. W. F. MACLEAN. How many tons have you ?

Mr. EMMERSON. I cannot speak from memory. These include not only the rails we have fit for use, but also scrap rails and scrap material of other descriptions.

Mr. KEMP. Were advertisements inserted in the public press ?

Mr. EMMERSON. I do not think so. I think public posters give sufficient publicity. I find that when you begin to advertise in newspapers you have to cover a very wide field.

Mr. BARKER. I would like to ask the minister, after the expenditure of this $150,000 for strengthening bridges, how much will he require to complete the strengthening of all his bridges ?

Mr. EMMERSON. $683,000.

Mr. BARKER. How does that come about ? Last year the hon. gentleman asked for a vote of $385,000. He spent all that except $142,000. He has already taken this year a revote of that $142,000. He told us last year that in addition to that $385,000 he only required $280,000 to complete all his ing $150,000, so he ought to be able to complete everything with $130,000. Now, it seems that we shall have to give him $683,000. The hon. gentleman's predecessor told us in 1902 that it was estimated that $100,000 for five or six years would strengthen every bridge except in the Oxford, New Glasgow and Cape Breton divisions, where they did not intend to strengthen. After that statement votes were asked for from year to year until we were told at length that they wanted $1,750,000 for what at first only required $600,000. Last year, the hon. gentleman told us he wanted in all $1,750,000. There were $385,000 then voted; and they only wanted $280,000 more out of this $1,750,000. Now the hon. gentleman tells us that we are $683,000 still away from the end.

Mr. EMMERSON. I said last year that the total estimated cost of all would be $1,828,011, exclusive of Oxford and New Glasgow and Cape Breton divisions.

Mr. BARKER. At page 6284 of 'Hansard' last year Mr. Ingram asked this question :

> The total now is $1,759,000. That will include the $385,000 that the hon. gentleman is now asking for. Am I correct in that ?
>
> Mr. EMMERSON. And the $280,000 which is contemplated later on.
>
> Mr. INGRAM. That includes the $280,000 ?
>
> Mr. EMMERSON. That includes the $385,000 which is now being voted, and as I understand it, the $280,000 which I gave as necessary for the years 1904-5.
>
> Mr. INGRAM. So that we have it now that the total cost is actually to be $1,759,000, which

includes the item which you or somebody else expect to ask for next year of $280,000 ?

Now the $385,000 is gone, we are voting now $150,000 out of that $280,000. That should only leave $130,000 for the future, yet the hon. gentleman tells us that he wants over $600,000 more.

Mr. EMMERSON. I do not see that the statement I made last year conflicts with my present statement. There was an item of $285,000 to which I made reference.

Mr. BARKER. Then the 'Hansard' has got you wrong; it was $280,000?

Mr. EMMERSON. The total cost to the 30th June, 1904, was $1,119,652.55. I gave the details with respect to that. Then there was expended to the 30th April, 1905, to strengthen bridges, $36,676.80. There was the credit of the Restigouche bridge amounting to $24,395.82. The total expenditure to the 30th April this year was $1,144,048.37. The total estimated cost of strengthening bridges exclusive of the Oxford and New Glasgow and the Cape Breton divisions as given last year and as given now is $1,828,011.74.

Mr. BARKER. Is the hon. gentleman reading from the figures he gave last year?

Mr. EMMERSON. Yes.

Mr. BARKER. I have the figures here in 'Hansard.' I do not suppose those are the exact figures he had last year.

Mr. EMMERSON. This is a transcript of them.

Mr. BARKER. At page 6285 of 'Hansard' of last year, Mr. Ingram says :

> So that we have it now that the total cost is actually to be $1,759,000, which includes the item which you or somebody else expect to ask next year of $280,000 ?
> Mr. EMMERSON. $1,759,000.

There is no use going any further into it. There is the statement made explicitly. We have gone on from a start of $600,000 for this purpose and we have got up to $1,759,000, and we are about as far back as when we started six years ago.

Mr. EMMERSON. I think that perhaps we are not so very far apart.

Mr. R. L. BORDEN. Only about $1,000,000.

Mr. EMMERSON. The amounts I read do not take into consideration the credit. I find that the amount was $422,000 and then we provided in the main estimates for 1905-6, $142,000.

Mr. BARKER. That is the revote of the $385,000.

Mr. EMMERSON. Yes, but the total was $422,000, and then we provided $142,000, which left $280,000. That is the amount that was revoted in the main estimates of 1895-96.

Mr. BARKER. That $280,000, you told us last year, would finish everything. I think we should have now from the hon. minister a definite statement of every dollar which is required for the future. The deputy minister knows exactly what it is. This work has been going on for years. The deputy minister, as the chief engineer of these railways, knows within a very few dollars what all these works will cost. They are bridges in existence and not speculative matters. You can tell us within a very few dollars what is required to finish the strengthening of these bridges.

Mr. EMMERSON. I have given that information to my hon. friend. I have told him that we require $1,824,000 to do the whole work, exclusive of the Oxford and New Glasgow and the Cape Breton divisions. I have told him that we have provided of that amount, $1,144,048.37. Now the difference between these amounts would be upwards of $600,000. Before all the bridges are brought up to the standard there will be required on the Intercolonial Railway that sum.

Mr. BARKER. That does not include the New Glasgow and Oxford or the Cape Breton divisions ?

Mr. EMMERSON. No.

Mr. HAGGART. Or the Drummond County Railway ?

Mr. EMMERSON. Yes, it includes the Drummond County.

Mr. BARKER. I would like the hon. minister to take his statement in 'Hansard' of last year, wherein he spoke about $280,000 more and explain that in connection with what he says now that he wants $600,000 more.

Mr. EMMERSON. What I stated last year was in respect to certain bridges that had been named and the balance required was $280,000.

Mr. BARKER. I do not think the hon. gentleman could have understood what he was answering last year.

Mr. EMMERSON. I named the bridges. I have the figures here now showing the amount and showing each particular bridge, but the whole amount, which goes back some years previous to my being in the department, is included in the expenditure of $1,144,000 and in the estimate of $1,828,000.

Mr. BARKER. Will the hon. gentleman listen for a moment while I again refer to 'Hansard' of last year ? Mr. Ingram, trying to do what I am doing now, said :

So that we have it now that the total cost is actually to be $1,759,000, which includes the item which you or somebody else expects to ask for next year of $280,000 ?

Mr. EMMERSON. $1,759.000.

He assented to that. Then Mr. Ingram says :

That is to be the total cost of strengthening the bridges on the Intercolonial Railway ?

Mr. EMMERSON. Exclusive of the Oxford and New Glasgow and Cape Breton Railways.

What can be clearer than that $1,759,000 was to do it all, and he had previously stated that to make up that $1,759,000 he would want the $385,000 which he got voted last year, and the $280,000. Now, that $385,000 is either spent or included in the main estimates of this year. That only leaves $280,000 to be provided, he is now taking $150,000 of that $280,000 and there should only be $130,000 for the future. Yet, he tells us that he will require $683,000.

Mr. EMMERSON. There is only $69,000 difference, according to your statement, between us.

Mr. DEPUTY SPEAKER. Shall the item pass ?

Mr. HAGGART. Wait a minute; the minister is anxious to explain it.

Mr. EMMERSON. I have explained it very fully.

Engine house, &c., Riviere du Loup, $45,500.

Mr. BARKER. We have been having this vote for some years, will this finish ?

Mr. EMMERSON. Total estimated cost $258,712.28 ; total amount expended to 30th of April, 1905, $152,050.56, main estimates (revote) $36,000, and this item $45,500.

Mr. BARKER. How much will you want in future ?

Mr. EMMERSON. About $25,000 on the total estimated cost.

Mr. BARKER. That will cover everything.

Mr. EMMERSON. Yes, according to the estimates.

Increased accommodation at St. John, $50,000.

Mr. EMMERSON. This is for the engine-house, electric lighting, bridges, loading platform, car shop, addition to baggage room, addition to train shed and additional track. The amount required to finish up all this work is about $124,000 after the expenditure in 1904-5. In the main estimates we have $35,000 leaving a balance of $89,000 and on that I am asking $50,000, leaving $39,000 to complete.

Mr. BARKER. Will that $39,000 finish ?

Mr. EMMERSON. Yes according to the details given to me.

Increased accommodation, Pictou, $42,500.

Mr. EMMERSON. We have $57,500 in the main estimates, and we are asking $42,500 now, leaving $56,500.

Mr. BARKER. That will cover everything at Pictou.

Mr. EMMERSON. Yes.

Increased accommodation at Ste. Flavie, $9,000.

Mr. EMMERSON. Total estimated cost, $133,500 ; total expenditure to 30th April, $84,000. We have in the main estimates $35,000 and $9,000 here, leaving a balance of $5,500.

Double tracking parts of line, $50,000.

Mr. EMMERSON. The section between Richmond and Rockingham (2½ miles) is estimated to cost $47,768 ; Bedford Bridge to Windsor Junction (5 miles) estimated cost $112,200 ; Rockingham to Bedford Bridge (4½ miles), estimated cost $112,000. Bedford Bridge, $45,000, or a total in round numbers of $317,000. This amount of $50,000 is required to pay on account of contracts entered into for double tracking between these points. The management has in contemplation double tracking the line between New Glasgow and Stellarton on account of the congestion at that point, estimated cost, $46,000 ; from Point Lévis to Chaudière curve, a little over 7 miles, estimated cost, $163,000 ; from Moncton to Painsec Junction (7¼ miles) estimated cost $167,000. That makes a total of $693,000. We expended up to the 30th of June 1904 $97,057, leaving a balance of $59,690. The estimated expenditure in 1904-5 was $100,000, leaving say $496,000. We have in the main estimates $100,000, which would leave $396,000 to complete these works. We are putting on that $50,000. That will leave a balance of $346,000. But I may say that while these are the proposals, the carrying of them out is not an immediate necessity, and therefore I only ask for this sum of money. The main difficulty arises between Halifax and Windsor Junction. Perhaps the next in importance, so far as congestion in traffic is concerned, is between Stellarton and New Glasgow.

Mr. KEMP. What about the section between Windsor Junction and Truro?

Mr. EMMERSON. I do not think there is the same necessity.

Mr. KEMP. Is this all the double-tracking that is intended to be made the next few years?

Mr. EMMERSON. I think that is all that is in contemplation—28½ miles.

Mr. BARKER. The hon. gentleman is charging to capital for this double-tracking about $25,000 a mile. How is that work being done?

Mr. EMMERSON. By public tenders and contract.

Mr. BARKER. Is there anything exceptional about this work that an extra track should cost $25,000 a mile?

Mr. EMMERSON. Yes. I think my hon. friend the leader of the opposition will bear me out in the statement that on account of rock work, skirting the Bedford basin, and the straightening out of the curves, the estimate is certainly not an excessive one.

Mr. R. L. BORDEN. Of course I do not know anything about the cost, but there are very great difficulties of construction.

Mr. BARKER. Are there several contractors, or are all the contracts in the hands of one firm?

Mr. EMMERSON. There are three different contractors.

Increased accommodation at Truro, $50,000.

Mr. EMMERSON. In the main estimates for 1905-06 we have $50,000; we require $166,500, and we are now asking for $50,000 of that, leaving a balance of $116,500 after this estimate.

To increase accommodation at Moncton, $50,000.

Mr. EMMERSON. The total expenditure to the 30th of April, 1905, was $613,523. The main estimate this year was $110,000. After this main estimate we will require $300,000, and we are asking $550,000, leaving $250,000. That is taking into consideration the enlargement of the yards and the shops which will have to be carried out in view of the fact that the Grand Trunk Pacific will necessarily come there, and the present is an opportune time for enlargement. We thought it advisable to secure some land in connection with it, and I think the management secured land at a very reasonable figure as compared with charges for like property elsewhere.

Mr. BARKER. Is that bought on joint account?

Mr. EMMERSON. No; it has nothing to do with the Grand Trunk Pacific, but having regard to the future and to the fact that the Grand Trunk Pacific will come there, it will be necessary for the government to have ample room for its own railway purposes.

Increased accommodation at Halifax, $50,000.

Mr. EMMERSON. We would require to carry out all the contemplated improvements and additional facilities at Halifax, after the provision made in the main estimates, $802,737. After this vote there will be $752,000 to expend.

Some resolutions reported.

Mr. BARKER.

MESSAGE FROM THE GOVERNOR GENERAL—FURTHER SUPPLEMENTARY ESTIMATES.

Hon. W. S. FIELDING (Minister of Finance) delivered a message from the Governor General.

Mr. DEPUTY SPEAKER read the message as follows :

GREY :

The Governor General transmits to the House of Commons further supplementary estimates of sums required for the service of the Dominion for the year ending 30th June, 1906, and in accordance with the provisions of the British North America Act, 1867, the Governor General recommends these estimates to the House of Commons.

Government House,
Ottawa, 12th July, 1905.

Mr. FIELDING moved that the message of His Excellency and the estimates be referred to the Committee of Supply.

Motion agreed to.

On motion of Mr. Fielding, House adjourned at 12.25 a.m., Thursday.

HOUSE OF COMMONS.

THURSDAY, July 13, 1905.

The SPEAKER took the Chair at Eleven o'clock.

OFFICIAL REPORT OF DEBATES.

Mr. H. GERVAIS presented the sixth report of the Select Committee appointed to supervise the Official Report of the Debates of the House during the present session, as follows :—

House of Commons,
Thursday, 13th July, 1905.

The select committee appointed to supervise the Official Report of the Debates of this House during the present session beg leave to present the following as their sixth report:

Your committee recommends :

1. That the salary of $2,000 per annum at present paid to each member of the staff of official reporters of the debates be increased to $2,500.

2. That the salary of $1,200 per annum now paid Mr. Charles W. Boyce, assistant to the chief reporter, be increased to $1,500.

3. That the above mentioned increases date from the 1st instant.

All of which is respectfully submitted,

HONORE GERVAIS,
Chairman.

REPORT OF THE COMMITTEE ON TUBERCULOSIS.

Mr. GEO. H. PERLEY presented the first report of the Joint Committee of the Senate

and House of Commons, on the suppression of tuberculosis in Canada, as follows :—

The Joint Committee of the Senate and House of Commons appointed for the purpose of considering what further steps should be taken and what suggestions can be made in the direction of the suppression of tuberculosis in Canada, with power to send for persons, papers and records and to report, have the honour to report as follows :

1. The Canadian Association for the Prevention of Consumption and other forms of tuberculosis, and various organizations of the same character in Canada, and prominent medical men were invited to make such suggestions as they might deem advisable on the question which was the subject of reference to this committee, and valuable suggestions and a large amount of information have been received, and have been made use of by your committee.

2. Until quite recently tuberculosis was regarded as generally hereditary and incurable, but modern discoveries have established that it is a communicable disease, and to a large extent curable as well as preventable.

3. There is in Canada a permanent corps of consumptive invalids, numbering at least forty thousand persons, of whom over eight thousand die annually. In the provinces of Ontario and Quebec it is an ascertained fact that the deaths from tuberculosis alone are more than twenty-five per cent greater than from diphtheria, scarlet fever, typhoid fever, measles and whooping cough combined. Apart from the humanitarian considerations involved in the question, the financial loss alone entailed upon Canada by such an annual mortality is enormous, estimated by competent authorities at over $8,000,000 a year, which makes it imperative for the state to adopt the best possible measures of prevention and cure.

4. The problem of tuberculosis involves a social movement which does not affect one province, but all provinces ; one district, but all districts ; one class, but all classes in the community, in country as well as in town. It is a movement of so wide a character that, for it to have adequate practical results, the co-operation of the central government is absolutely essential.

5. The principle involving the interference of the Dominion government for the suppression of diseases of this kind was recognized immediately after confederation, and is embodied in the statutes of 1868, 31 Victoria, chapter 63, from which the following is extracted :

(7.) Whenever Canada, or any part thereof, appears to be threatened with any epidemic, endemic, contagious or infectious disease, the Governor may, by proclamation, make such regulations as he thinks proper and necessary to prevent the introduction of such disease from beyond the limits, or to prevent its spread within the limits of Canada, and otherwise protect the public health, and he may, from time to time, revoke or amend the same, or make others in their stead in like manner, and may impose penalties, forfeitures and punishments for the breach thereof, and such regulations shall be published at least twice in the 'Canada Gazette,' and the production of copies of the 'Gazette' containing such proclamation, shall be evidence of the making, date and contents of such regulations.

(9.) By such regulations the Governor in Council may appoint for any specified time, one or several 'Central Boards of Health' and may name the members thereof, and also such medical and other officers and servants as he may deem necessary to assist such boards, and the powers and duties of the said boards shall be such as are affixed to them by such regulations, and may be exercised by any number of the members thereof mentioned in the said regulations, as constituting the quorum thereof; and the powers and duties of such boards shall cease on the revocation or at the time of the expiration of the regulations aforesaid.

(10.) When, and so long as such regulations are in force, it shall be the duty of every municipal corporation or county sessions within Canada to organize a local board of health for the limits of their respective jurisdictions, and such local boards or any three members thereof, shall have power to act under the regulations aforesaid, and the direction of any central board of health, designated in such regulations, and the duties of such local boards of health shall be to enforce generally all sanitary measures required, and to carry out the regulations of the Governor in Council, and such orders as may be issued by the central boards in pursuance of the provisions of such regulations.

(11.) In the case of municipal corporations or county sessions neglecting or refusing to appoint a local board of health as aforesaid, or in the absence of any such authority in any locality, the Governor in Council may nominate persons within the limits of such municipal corporation, county or locality, to constitute such local boards of health.

6. The problem of preventing and curing the disease is exceedingly complex and necessarily entails a very large expenditure. The work may be taken hold of by the Dominion government or by the provincial and municipal authorities with the aid of the Dominion government.

7. In the opinion of your committee the federal government should be prepared to contribute yearly to each province a considerable share of the annual cost of dispensaries, inspection, the erection and maintenance of sanatoria and whatever other agencies may be found necessary to secure the desired end ; the province, municipalities, individuals and benevolent associations contributing the balance ; the federal government to prescribe the condition upon which the several institutions shall be entitled to their share of the subsidy and also to have the right of inspection of each institution and of its books at any time, and also power to withhold its contribution in respect of any institution not fulfilling its requirements.

8. Your committee further suggest that unless the Dominion government feels prepared to take hold of the matter itself, a conference should be held at as early a date as possible, between the federal and provincial authorities, for the purpose of determining the best action which should be taken in the premises.

9. Your committee suggest that the recommendations embodied in the present report be presented to the government by a joint delegation of both Houses ; and that their attention be again called to the resolutions passed unanimously by the Senate and by the House of Commons respectively, of which copies are hereunto annexed.

All of which is respectfully submitted.

WM. C. EDWARDS,
GEORGE H. PERLEY,
Joint chairmen.

THE FRANKING PRIVILEGE.

Mr. H. S. CLEMENTS. Mr. Speaker, before the Orders of the Day are called, I desire to call the attention of the acting Postmaster General to the fact that according to the regulations, the members of this House have the franking privilege for ten days previous to the opening of the session, and that it ceases on the day the House prorogues. It seems to me rather unjust that the franking privilege should not continue for some days after the session, and I would like to hear the opinion of the acting Postmaster General upon the subject.

Mr. FISHER. I cannot say to my hon. friend exactly what the arrangement is, but for a long time there has been an arrangement by which the franking privilege is allowed for a few days after the close of the session—I think it is four or five days. I am not aware that any change is contemplated or has been asked for.

THE NIAGARA FRUIT GROWERS' ASSOCIATION.

Mr. J. E. ARMSTRONG. I wish to repeat a request which I made several weeks ago, that any correspondence which has taken place between the Niagara Fruit Growers' Association and the Minister of Agriculture be laid on the table. May I ask the minister whether he will be able to obtain it before the end of the session?

Mr. FISHER. I am speaking from memory, but I think we found that there was no official correspondence at all in the department. I will inquire, however, and let my hon. friend know in the afternoon.

GRAIN INSPECTION ACT AMENDMENT.

Bill (No. 174) to amend the Grain Inspection Act as regards the selection of commercial grades and samples—Mr. Fisher—read the second time, and House went into committee thereon.

On section 1,

Hon. SYDNEY FISHER (Minister of Agriculture). This Bill was introduced in the Senate by the Minister of Trade and Commerce (Rt. Hon. Sir Richard Cartwright), and he asked me to take charge of it in this House. It is a small amendment, which has been asked for by the Board of Trade of Winnipeg, the Grain Growers' Association and various other representative bodies. The Grain Standard Board is a board with a considerable number of members. Occasionally, according to the season when this board ordinarily meets, it is not able to get in the samples of grain from the different sections of the Northwest to be decided upon. This amendment provides that a special meeting of a small committee of the board may be called for the purpose of dealing with samples which do not arrive soon enough to be dealt with at the ordinary meeting of the whole board. Simply a matter of convenience for the board and the trade, both the growers and the dealers in grain.

Mr. THOS. GREENWAY (Lisgar). I do not regard the suggested amendment to the Bill as of very great importance, because I do not see much necessity for a standard board. Having established the grades of wheat, I think that they ought to remain standards for the province as they are fixed by law—No. 1 Hard, No. 1 Northern, No. 2 Northern. The difficulty with the commercial grades is the principal difficulty we have to meet in the operation of the present Act. I think it would be perhaps a good plan to do away with the commercial grades entirely and throw all below the standard samples into a general grade of milling wheat for Manitoba. As hon. members, especially those from Manitoba, know, there was a good deal of trouble last year in the operation of the present grading system. That trouble was mainly due to the very great difference in price, and spread between No. 2 and No. 3 Northern. For instance, I have in my possession two certificates for the same car of wheat shipped out by a neighbour of mine. That wheat was examined by two special inspectors, and I suppose the one was ignorant of what grading the other had given. One made it No. 2 Northern and the other No. 3. The difference which that made to my neighbour on that day was $99, there being 1,100 bushels of wheat in the car and a 9-cent spread between No. 2 and No. 3 Northern. I may say that the season began with a 3-cent spread. That, I believe would be a fair spread in price. It is a mystery to the ordinary mortal how that spread comes to be fixed, how it is manipulated. This morning, on looking over the market quotations, I found that the spread in price between No. 3 and No. 2 Northern at Fort William is 17½ cents. The hon. minister will see the difficulty we experience in the operation of this Act, from the illustration I have given him of a single car. Should it happen that a farmer shipped a carload which he thought was No. 2 Northern—and many farmers can tell the grade as well as a grain inspector—he would find that instead of there being a difference of $99 as in the illustration given—a difference just based on the judgment of the inspector; he says it is not quite good enough for No. 2 and I shall have to make it No. 3—the difference in the value of the wheat the moment the stamp is put upon it is now over $190. I am therefore afraid that although a good deal of care and attention was given to the drafting of this Act, it will not work out very satisfactorily unless we adopt some other system. I notice that the Grain-Growers' Association, among

others, have suggested that we might get over the difficulty by having a No. 3 Northern extra. That change was made by the standard board last autumn when fixing the grade as between No. 4 and No. 4 extra. That only made a difference of two cents, as the spread is not very wide. I know something of the system of the other side of the line, and the system I suggested in the beginning is that which they have in force. They have their established grades. No mixing is allowed in those. I do not think that the established grades ought to be mixed. We are proud of our Manitoba No. 1, and we think a good deal of our No. 1 Northern and No. 2 Northern. These remain as they are on the other side of the line, except that their samples are not quite as high as ours. The remaining low grade wheat, of which we shall have more or less every year on account of the vastness of the territory in the Northwest, we should combine in one to be called Manitoba milling wheat. When a farmer has what he thinks is No. 2 and the inspector grades it No. 3, there may be a difference of one or two cents per bushel in the actual value, but I am at a loss to know why we should have such a system in Canada. Why not sell wheat the same as other farm produce ? Why should there be any manipulation in connection with the business which renders possible such an injustice as the one I have referred to ? For a long time the legislation in this House has been along the lines of promoting the interest of the farmer in handling his own wheat, providing means by which the transportation companies were compelled to build loading platforms, so that the farmer would load his own wheat and ship it out to his own order and handle his own business. Legislation points in that direction, and I think it a good thing. What I wanted to get into the Act was something more along this line, still promoting the idea that the House had in view of providing those facilities for the farmers handling their own grain. I might mention, to show the importance of the matter which I have suggested to the committe, that the crop for the first eleven months which was inspected in Winnipeg was, in round figures, 40,000,000 bushels—the first eleven months of fiscal year ending 31st May. Of that grain 10,119,000 bushels was No. 3 Northern, showing the great loss which the farmers of the Northwest have sustained by the manipulation of the spread in price in the way I have indicated. I went over it carefully with a gentleman who knows something about the grain trade the other day, and he and I agreed that the farmers, on that item alone, had lost at least half a million dollars last year in the value of No. 3 Northern wheat. We have been paying attention to some things which promote the interests of the agriculturist, but there is nothing of greater importance than the great crop which is being brought out from year to year from the Northwest. The calendar year which closed the last day of last month saw handled altogether about 60,000,000 bushels of wheat, and a most conservative estimate for this year, in view of present prospects, is that that will be increased by over 50 per cent.

Mr. BRODEUR. 25 per cent grade No. 3, will that be expected every year ?

Mr. GREENWAY. No. We are talking of a very special year. Last year, I may say for the information of hon. members, was an off year in Manitoba. In a great many districts, on account of the rust the crop was poor. That is why the low grade wheat made about 25 per cent of the whole. I was just showing that last year we had 60,000,000 bushels of wheat, worth about $40,000,000 to the producers. And this year, according to the most conservative estimate, we are to have about 90,000,000 bushels, worth about $70,000,000. Now, I would urge upon the Minister of Agriculture that these suggestions I make are worthy of his very careful consideration, because of the importance of this industry. And, important as this industry already is, it is plain that it is only in its infancy. We shall have, in the near future hundreds of millions of bushels of wheat, for we have only a little patch of four or five million acres presently under crop. I hope the minister will include in his Bill, in furtherance of the facilities which shall be given to the farmer to handle his own grain, something to the following effect :

The Governor in Council may appoint, in connection with the warehouse commissioner's office, an officer who shall be regarded as the agent of the shipper of any grain of his own production who may choose to avail himself of his services, for the following purposes :

Advising shippers as to the inspection given and reasons therefor——

If a man ships out a car of wheat which he believes to be No. 2 northern, and it does not grade up to No. 2 northern, he should know the reason why.

Return the shipper a portion of the inspection sample, when required, and in every way in his power advise with the shipper as to the best disposition of the car, as to cleaning——

For instance, there may be too much dirt in it:

—handling in treatment, or advisability of bringing the matter before the board of survey.

This appeal to the board of survey is provided for by the law.

He shall have access to the offices of the transportation companies for the purpose of taking up unusual delay in the transit of any car, or loss by leak, or bad order, or accident. He shall also be afforded all access to the office and records of the grain inspection. The shipper desiring to use the services of such agent must advise him promptly of the car, number, date of shipment, quality, loaded grade shipped

for, name and address in full of the shipper and consignee, together with destination, and shall perform such other duties in this connection as may from time to time be assigned to him by Order in Council.

If that were done, it might have the effect of removing a great deal of the irritation presently existing between the grain grower and, sometimes the grain dealer, sometimes the inspector, on account of the differences which I have pointed out. I do not wish to detain the House any longer upon this subject at this time. Perhaps, on some future occasion, I may have something to say about the general provisions of the Act. Now I would desire for the purpose of trying to get a little better satisfaction than under the present system, that we should adopt some such amendment as this.

Mr. BERGERON. If I understand the hon. gentleman (Mr. Greenway), this is not an amendment to the Bill which is now before us?

Mr. GREENWAY. No. It is suggested as an addition. The present Bill remains as it is.

Hon. SYDNEY FISHER (Minister of Agriculture). I am very glad indeed that my hon. friend from Lisgar (Mr. Greenway) has spoken as he has on this question. The House and the country know that he is an authority on all questions in regard to grain production and the grain trade in Manitoba and the Northwest. The question which he has brought up is one of the utmost importance. Everybody in Canada realizes and recognizes fully that every facility should be provided to make the production and handling of grain a success. The enormous development of our west is largely due to the fact that we have there to-day immense wheat production and the possibility—nay, the certainty—of steady and enormous increase of wheat production from year to year. Nothing that we can do to facilitate this great industry should be left undone; no lack of attention should be allowed to mar our opportunities in this regard.

I confess that some of the things my hon. friend (Mr. Greenway) has said surprise me. That there should be a difference between No. 2 and No. 3 in the market of 17½ cents appears to me extraordinary and inexplicable.

Mr. GREENWAY. The prices at Fort William yesterday were, for No. 3, 87 cents; for No. 2, $1.04½.

Mr. FISHER. This is a difference of something like 20 per cent in price as between the two grades. I do not know whether my hon. friend pointed out the difference between No. 2 and No. 1.

Mr. GREENWAY. It is one or two cents.

Mr. FISHER. A difference of a few cents between No. 2 and No. 1, and of 17½ cents between No. 3 and No. 2 is an extraordinary condition of affairs. I cannot believe that it is due to anything in the grading of the wheat; it seems to me it must be due to the manipulations of the market; whether in Canada, whether in the United States—which, after all, is the great wheat market of the continent—or whether in the British market, I do not know.

Mr. R. L. BORDEN. What is the practical difference between No. 2 and No. 3?

Mr. FISHER. I suppose we would generally have to take the market value as showing the practical difference——

Mr. GREENWAY. It is about 3 cents, I should say. The present quotations in Liverpool show a difference of 7 cents per cental, or about 4½ cents a bushel.

Mr. FISHER. I am informed that the difference is under 5 cents per bushel. I suppose we may take that as the fair difference in the actual price. Yet the market price with us shows a difference of 17½ cents. Now, I do not understand that my hon. friend (Mr. Greenway) attributes this to bad grading or to anything in relation to the inspection.

Mr. GREENWAY. I pointed out a case where a difference of opinion as to the grade made a difference of $99 in the returns for a car of wheat.

Mr. FISHER. But the fact that a certain car had been graded No. 3 instead of No. 2 would not in itself make such a difference. I do not understand that this difference in the market of 17½ cents is a legitimate difference due to anything in the quality of the wheat. In fact, the remarks of my hon. friend from Lisgar would tend to show that it is simply something connected with the market conditions, and not with the value of the different grades. The best proof of this is that while there is a difference of 17½ cents at Fort William there is a difference of less than 5 cents in exactly the same grades when the wheat reaches Liverpool. Therefore, this can hardly be any reflection upon the inspection or grading.

Mr. S. J. JACKSON. But the instance quoted shows that a mere difference of opinion between two officials made the difference in the grading of the wheat.

Mr. FISHER. But that has nothing to do with the difference in the cash returns between the two grades, which is what I am now considering.

Mr. R. L. BORDEN. No, but it would seem to indicate the great necessity of paying attention to the grading between No. 2 and No. 3, if a farmer is to realize on his wheat 12 cents per bushel less than he would realize on the Liverpool quotations.

Mr. FISHER. There is no question about that. Any evidence of inefficiency in grading or inspection would be a reflection upon the inspection and ought to be carefully looked into. I may say in that connection

that the chief inspector, Mr. Horne, at Winnipeg is a man who has enjoyed, I believe, the full confidence of all classes who are dealing in wheat in the Northwest and Manitoba. I have not had the advantage of a personal acquaintance with Mr. Horne, but I know his name very well and have heard him spoken of by dealers, by farmers and by those who have on the floor of parliament in former sessions discussed this question, and the universal testimony is to his extreme efficiency, his perfect integrity and reliability. Under these circumstances I would be quite willing to acknowledge at once that the grading is of the utmost importance, but I would not like to accept any reflection upon the character of the inspection or the success of the grading of the wheat at Fort William and Winnipeg.

Mr. GREENWAY. My amendment does not do that.

Mr. FISHER. Oh, no, I understand that. A remark was made which indicated that about 25 per cent of last year's crop would grade down very low, probably to No. 3, but I understand that this is not in any way an ordinary case.

Mr. GREENWAY. Oh, no.

Mr. FISHER. Of course the seasons differ very much, and one of the difficulties connected with the grading of our wheat and its inspection is the changing of the standard samples from year to year. I do not propose to discuss that but there is no doubt it is a difficulty in the way of inspection and grading. If any means could be got to overcome that difficulty and to establish a fixed standard of No. 1, No. 2, No. 3, &c., which could be applied every year, my own opinion—and I do not consider that opinion worth a great deal as I am not very familiar with the western trade—but still my own opinion has always been that it would tend to a better inspection and a more satisfactory grading of our wheat. There may be difficulties in the way or the present system would not have been adopted and I am only expressing my own personal view which perhaps is not worth very much. The crop varies very much in quality in different seasons ; last year happened to be a bad one, and a great quantity of it graded very low. No doubt that makes it very much more difficult for the inspectors. I have no doubt whatever that the complaints arising from inspection will be greater when there is a poor crop than when there is a good one. In regard to my hon. friend's proposals he has suggested that an amendment should be added to this Bill which would authorize the appointment of an officer connected with the grain standards board at Winnipeg, who should act as a sort of agent or representative of the growers of wheat, the men who grow and ship the wheat themselves for inspection. I have had the advantage of consulting Mr. Horne on this question and I can see no serious objection to something of this kind being done. There may be some little difficulty in working it out and assigning the duties which such an officer should perform, but I am told that these could be overcome and that the probability is that such an officer in the office at Winnipeg could be of the greatest service to the growers of grain in the way that has been outlined by the member for Lisgar (Mr. Greenway). This being the case I am sure the department would be only too glad to make the experiment to see whether, in this way or in any other way, these facilities could be created for the benefit of the farmers who are raising this splendid crop of Canada. I am told, however, that an actual amendment to the Act is not required for this purpose. Clause 53 of the Inspection Act, chapter 15 of the statutes of 1904, gives power to the Governor in Council to make regulations of all kinds for the guidance and government of inspectors and generally such as are deemed necessary for the carrying out of the provisions of the Act according to their true intent and meaning and for the better attaining of its objects. Under these circumstances I can say to my hon. friend that it is the opinion of the government that no amendment for this purpose is required, and that the department will be ever ready to try and see that what he desires and what he has proposed here is worked out in the interest of the grain growers, those who are themselves, as grain growers, shipping their wheat to Winnipeg for inspection and for grading. I do not know that I need say anything more than that. I am very glad indeed that the member for Lisgar has brought this up. I think in bringing it up he has performed a service for the grain growers of Manitoba and the west, and I am very glad to find that the department is able to meet his views if they can work out the details and I can assure him and assure the House on behalf of my colleague the Minister of Trade and Commerce (Sir Richard Cartwright) that he is ready to try to do this. As for other amendments I may say that at this late date in the session it would be inadvisable for us to undertake such an important task as the discussion of general amendments to this Act. It is working, on the whole, I think, fairly well. There may be some little hitches here and there, but I may say that this Act was passed as the result of a long and careful discussion in this chamber and that it was only framed after a committee of the House had investigated the whole conditions of the trade. Representative men had been brought here and information gathered of great importance and value and this Act was the result of the most careful investigation and labour. Under these circumstances I think we had better be content with the slight amendment asked for here, asked for as I

said to begin with by the Winnipeg Board of Trade and then by the grain boards and other interests as a slight modification that would facilitate the work of inspection, but I think we should leave the amendment of the Act for the future.

Mr. BERGERON. That would not remove the evil of which the member for Lisgar has spoken.

Mr. FISHER. The amendment in the Bill now before the House is simply to facilitate the work of the grain standard board. The grain standard board is rather a large body and there are some sections of country from which they do not get samples at the general meeting. I pointed out that without any amendment to the Act, the minister can meet the proposals of my hon. friend, but that as far as other matters are concerned, it would be better to leave it until we can have a full and free discussion in the early part of the session.

Mr. GREENWAY. I would ask the minister if it is the intention to provide for what I have suggested by Order in Council under the powers given in the present Act.

Mr. FISHER. That is what the minister seemed prepared to do.

Mr. GREENWAY. Perhaps we ought to say a little more on this subject. The Agricultural Committee will remember that we had before us gentlemen from the experimental farm who had been making experiments as to the relative value of different grades of wheat, having received them from Mr. Horne. That was done also some time ago by the Territorial government and I had the pleasure of receiving a number of bulletins somewhat similar to that which has presently been issued by the experimental farm here on that subject, and it was shown that there is very little difference in the value, 2 or 3 cents would cover all the difference in values from No. 1 to No. 4. The minister has issued a bulletin of which I have a copy here in which the same thing is undertaken to be shown, and it bears out the result of the experiments at Regina. I think these experiments should be continued. I fancy that gentlemen who are engaged in the milling business in Ontario—I see my hon. friend from Centre York (Mr. Campbell) here—do not quitet understand the value of No. 3 northern wheat or they would not allow it to be sold at Fort William at 87 cents a bushel and pay $1.04 and $1.04½ for No. 2. We know that it makes very excellent flour, and that there is no such difference and cannot be any such difference, and if I am asked why it is that there is such a difference I am forced to reply that I do not know. We have never known of such a difference before nor have we known until this year of the existence of an option market in the city of Winnipeg. Whether that has anything to do with it or not I do not know. These things have existed on the other side of the line but I think that this is the first time that they have got into working operation in Winnipeg or anywhere else in Canada. Whether the option market is responsible for this difference in the price I do not know, but I am afraid it is, and if this parliament could do anything to remove the disadvantage under which the farmers of the west labour by reason of this difference in the price of different grades it should be done.

Mr. LAKE. Mr. Chairman, I do not think there is any subject which could better engage the attention of this House than the question of the inspection of grain. I think the remarks made by the hon. member for Lisgar (Mr. Greenway) are sufficient to prove that to the committee. He has pointed out that experiments carried out under the auspices of the territorial Department of Agriculture and of the officers of the experimental farm all go to prove that there is an extremely small amount of difference in the actual value of the milling products of different grains. There appears to be a very heavy loss indeed to the wheat producers of the Northwest and I am only sorry that this question has been brought up at such a late period in the session that it will be unable to receive the consideration that it is entitled to, but I hope it may be taken up earlier on another occasion. I think the suggestion of the hon. member for Lisgar is quite in the right direction and I am very glad to hear that the hon. Minister of Agriculture is prepared to act upon it. I hope he will do so in time for the next season's shipment of wheat from the Northwest Territories. As regards the Bill which is now before us, I think the figures given by the hon. member for Lisgar, prove the necessity for this slight amendment which is proposed in the Bill. While we are willing to admit that the present system of sale is not a perfect one, and I believe that it would be better if it were possible to have a sale according to actual samples; that is to have the wheat sold on sample——

Mr. GREENWAY. A sample market for the lower grades.

Mr. LAKE. Yes. While we are unable to alter the whole system at the present moment I think the present proposition is a step in the right direction to facilitate the making of commercial grades where that is felt to be a necessity, and it is frequently found to be a necessity owing to the extreme variation in samples of wheat in the country due to different climatic conditions.

Mr. TURRIFF. Mr. Chairman. I just wish to endorse every word that my hon. friend from Lisgar (Mr. Greenway) has said. There is no question that is of more importance to the wheat growers of the west than this one. Every time I have met my

constituents of late there have been complaints of the way in which, as they put it, they are robbed in the lower grades. When we see the results of the tests that have been made between the bread producing qualities of the lower grades as compared with the higher grades it is evident that the farmers of the west are not receiving a proper price for the lower grades of wheat. I do not know exactly where the difficulty lies but I know that the farmers are very anxious to have this proposition of my hon. friend from Lisgar carried out, and a man appointed who will be able to look after their interests as wheat-growers. I wish to endorse every word that has been said by him.

Mr. CAMPBELL. In reference to the difference in price between No. 3 Northern and No. 2 Northern that is entirely exceptional this year. The usual difference is 5 cents a bushel between 3 and 2 Northern but owing to the establishment of the option market in Winnipeg 2 Northern is the only grade that can be delivered. If a man sells wheat 2 Northern is what he sells and he cannot deliver 3 Northern. The price of 3 Northern is about right but the difference is due to the fact that there is not enough of 2 Northern to supply the demand and then the option market is purely speculative now as far as 2 Northern is concerned. I do not think there are millers in Ontario buying 2 Northern. They cannot do it because 3 Northern is very much better value, and there is a difference of only about 5 cents. This will continue notwithstanding the passage of this Bill until the market is adjusted by the new crop, or until the option for July wheat is settled and then probably 2 Northern will come down.

Mr. GREENWAY. Why could they not make it a 3 Northern delivery under contract?

Mr. CAMPBELL. You cannot advance the price of wheat beyond its value. If you put 3 Northern up to $1 or $1.10 the people would not use it. You would only drive the millers to using other grades. No. 3 Northern is on the usual basis. It may be exported to the markets of the world. It is upon an exporting basis, but 2 Northern is away up at a fictitious value and that will continue until the market for July wheat or until the options are settled.

Mr. S. J. JACKSON. Without wishing to cast any reflection upon the present inspector, Mr. Horne, or any of his assistants, I would like to give an instance of the fallibility of these gentlemen on certain days owing to the mood they are in. Not very many years ago I had an arrangement with the Lake of the Woods Milling Company under which they undertook to give me 3 cents a bushel more than the local price, as they did not have an elevator at the point where I was shipping from, for my wheat. I was threshing and I loaded one car and shipped it in to them. The next morning I got a telegram from that company saying: No. 2 Hard rejected for smut; best price 48 cents a bushel. I had two more cars that I was loading at the time and I went to the Ogilvie Milling Company who had an elevator and a buyer at that point and I asked the buyer to come and give me a quotation for a couple of carloads of wheat. He said: We will give you 53 cents for your wheat. I sold these two cars at 53 cents to the Ogilvie Milling Company. That was a difference of 5 cents a bushel. The wheat shipped in all of these three cars was all out of the same field. It was a year when there was practically no difference in the wheat, it was all No. 2 Hard, but we had more or less smut on the wheat. I took the numbers of these three cars of wheat, went in to see Mr. Horne and asked him if he could give me the grading of the two cars I had shipped to the Ogilvie Milling Company. Instead of being graded No. 2 Hard rejected for smut, these two cars which came out of the same field were graded No. 2 Hard. That made a difference of 5 cents a bushel that I had lost on those cars and 3 cents a bushel making 8 cents a bushel or $56 a car, that I lost on those cars of wheat. Mr. Horne could not give an explanation. There was a little smut in all of the wheat that year, and there was some smut in the wheat he had graded for the Ogilvie Company No. 2 Hard. That shows that there was a difference in the minds of the inspectors. I am not throwing any reflection upon Mr. Horne, because I consider him a very good officer. It just happened that at that particular time he had been doing the grading. My hon. friend from Lisgar (Mr. Greenway) is asking to have a man appointed who would be in charge of my grain and if we had had such an officer I could have wired to him regarding the rejected car to send it to King's elevator and have it cleaned and graded. There was, however, no one whom I could depend on to represent me and I was so disgusted with the first car on which I lost eight cents a bushel, that I sold the last two cars at a loss of three cents per bushel. If there was a man at Fort William or Port Arthur acting in the interests of the farmers he could have re-graded the wheat after having it cleaned, and I would have been saved the loss. Mr. Horne and I could really see no difference in the wheat, yet it cost me a loss of eight cents a bushel on the car. I endorse everything that has been said by my hon. friend (Mr. Greenway). In my part of the country we are not largely in wheat growing, but still there are farmers in my district who each year ship two or three cars of 1,000 busheds per car, and because of instances of the

kind I have spoken of, my neighbours are so disgusted that we simply sell our wheat and have practically stopped shipping it. An officer such as that who is recommended would save us thousands of dollars every year. I would like to point out to the minister that for this position we want a first-class man who is above suspicion. The salary does not count at all because $50 a car saved on 20 cars would mean $1,000 and it would not take very much saving of that kind to pay a good salary to this official. I would recommend that politics be left out of the appointment of this gentleman altogether, and that we should get the very best man in the Dominion of Canada for the office no matter what we have to pay him. We are growing this year 90,000,000 bushels of wheat and I dare say there is a quarter more land broken this year than is now in cultivation being broken up in the Territories and Manitoba, so that we will have over 100,000,000 bushels of wheat in a very few years. It will be seen then how necessary it is to appoint the very best man that can be appointed to this office.

Mr. CRAWFORD. At this late stage of the session I do not think it is wise to say very much on any subject, but I cannot refrain from stating that I endorse everything that has been said by the hon. member for Lisgar (Mr. Greenway). I believe that the appointment of a gentleman such as he suggests would be in the interest of the producers in the west. There is no doubt but that there have been more or less abuses in different ways, possibly not on account of any wilful fault or anything of that kind, but may be through lack of judgment. It means a good deal to the farmer to say that 1,000 bushels of his wheat should grade No. 2, instead of No. 3 Northern. Indeed it would amount to $175 on a car of 1,000 bushels, and that loss might be incurred just through the mere judgment of the inspector. the sample of wheat may almost be up to No. 2, but if the inspector has a slight doubt about it and he puts it into No. 3, it entails a loss of $175 on a car of 1,000 bushels, while the difference in real value might be only one half cent a bushel. I notice in this bulletin issued by the department of Agriculture that where tests have been made the flour from No. 3 made one pound of bread more than the flour from No. 2 Northern, which would go to prove that flour from No. 3 Northern is stronger than the flour from No. 2 ; it took more water in mixing and naturally produced more bread. But of course, these experiments will be continued and they may vary more or less according to the sample. At all events there is something not right about this wheat business and I am inclined to think that the reason mostly lies in this option market. There may possibly be a premium on No. 2 Northern at the present time, but if that is the result of this option market which we have in operation in Winnipeg at present there should be something done to wipe that out if it is going to create and continue a business condition of this kind. I have had considerable experience in the grain business in the western country, and there are other abuses which might well be remedied in the interests of the producer. In the matter of transportation there has not been much heard of a grain blockade during the past two years, but a year ago last fall I knew of instances where the wheat had to stand on the track between my own district and Fort William for three months at a time. I shipped some wheat myself and it was over three months before I got my returns from Port Arthur. I have known cars of wheat to stand on the track a few miles from where I live for three months before being moved and the farmer was practically helpless in the hands of the railway company. Even last fall I have known wheat to stand on the track for six weeks. At points where there was no railway competition the farmers were held up and not given cars for as long as six weeks at a time, and the wheat was on the track waiting for shipment. At Neepawa where we had two railways, we could get all the cars we wanted, but 10 or 15 miles away the farmers could not get a car. It is in these directions that an effort should be made to help the farmers out, and the appointment of an officer such as that recommended would be of great value to us. This is an important question to us in the west, a question which is growing more important every year, and nothing deserves the attention of this House more than the providing of facilities for the grain trade of the west.

Bill reported, read a third time and passed.

NORTHWEST TERRITORIES ACT.

Hon. CHARLES FITZPATRICK (Minister of Justice) moved third reading of Bill (No. 160) with respect to the Northwest Territories.

Mr. R. L. BORDEN. Which is this Bill ?

Mr. FITZPATRICK. This Bill as already explained, refers to the Canadian Territories of the Northwest which are not covered by the Autonomy Bills. It was asked to stand I think, because the hon. member for Simcoe wanted to say something and I accordingly held it over. If there is any reason, I will let it stand further.

Mr. R. L. BORDEN. I think it is all right.

Motion agreed to, Bill read a third time and passed.

INSPECTION OF WATER METERS.

Bill (No. 188) respecting the Inspection of Water Meters.—Mr. Brodeur—read the second time, and House went into committee thereon.

On section 1,

Hon. L. P. BRODEUR (Minister of Inland Revenue). This Bill from beginning to end follows the provisions of the Act respecting the Inspection of Gas Meters, with some necessary changes to meet the difference of conditions.

On section 3—inspectors,

Mr. BRODEUR. The Gas Inspection Act provided that the inspectors of weights and measures should be appointed as inspector of gas meters. In this case we provide that any officers in the employ of the Department of Inland Revenue may be appointed inspectors of water meters.

On section 7—re-verification,

Mr. BRODEUR. Gas meters have to be inspected every five years, and the same provision is made here with regard to water meters.

Mr. McCOLL. I would like to ask the minister if he has taken into consideration the question of the charges for meter rates that the owners sometimes make. In the town where I live, some of the cottages which are supplied by the company with water are closed during the winter and sometimes the meter rent will amount to more than the bill for water supply.

Mr. BRODEUR. The department has no control over that. This Bill provides simply for the inspection of the meters. It does not interfere with the contracts between the companies and the purchasers.

Mr. McCOLL. It occurred to me that it might be proper for the Bill to regulate the charges. I have heard the right of the companies to charge meter rent at all questioned. For instance, the contractor supplies water at a certain price per gallon; he puts in a meter for his own protection, to measure the water consumed. Is it right for him to charge rent for that? Why should not the department regulate that matter, and say that no meter rent shall be charged? I may say that the companies object to the consumer putting in his own meter—I am speaking more particularly of electric meters. They insist on putting in their own meters and sometimes the rent they charge amounts in a couple of years to as much as the value of the meter.

Mr. BRODEUR. I am afraid that the department could not undertake to regulate contracts entered into between individuals and companies. What we provide for in this Bill is that the machines used for the measurement of gas, electric light or water shall be properly inspected and verified. Section 12 of the Bill provides that every consumer may purchase his own meter provided it is duly verified.

Mr. INGRAM. In a town where they have not the meter system, it would not deal with them at all.

Mr. BRODEUR. This applies to cases where the water is supplied on a flat contract.

Mr. R. L. BORDEN. The contention of the minister is that the Bill does not impose the obligation on any one to use a meter; but wherever a meter is used, it must be inspected.

Mr. KEMP. Has the city engineer of Toronto, or any other official of that city, consulted with the department in regard to this Bill?

Mr. BRODEUR. We received one communication from Toronto, but not from any of the city officials.

Mr. KEMP. I ask for the reason that I have received a telegram from the city engineer of Toronto asking me to send half a dozen copies of the Bill.

Mr. BRODEUR. I will not ask, then, that the Bill be read the third time to-day.

Mr. KEMP. That is what I would have asked the minister, and I am glad he gives me the opportunity to inquire into the matter.

Mr. BRODEUR. I move to reconsider section 4.

Motion agreed to.

Mr. BRODEUR. I am a little doubtful whether in its present form this section would give the department power to inspect the water meters in existence. I therefore move to amend the section as to make it read 'no meter shall be used which has not been verified and stamped,' and so on.

Motion agreed to.

Mr. R. L. BORDEN. Upon whom is to fall the burden of the fees allowed under this Bill?

Mr. BRODEUR. Meters cannot be used until they have been inspected and stamped. Generally in the first instance the fee will be paid by the manufacturer. After the meter has been put in use it must be inspected once every five years, and a fee is chargeable for that inspection. That fee, I suppose, would generally be paid by the consumer or the person in whose possession the meter is.

Mr. INGRAM. Whether the meter is found correct or not?

Mr. BRODEUR. Yes.

Mr. CAMPBELL. What are the fees?

Mr. BRODEUR. They range from 75 cents to $6, according to the size of the meter.

Bill, as amended, reported.

INLAND REVENUE ACT AMENDMENT.

Hon. L. P. BRODEUR (Minister of Inland Revenue), moved that the House concur in the amendments made by the Senate in Bill (No. 76) to amend the Inland Revenue Act. He said: Two small changes have been made in this Bill by the Senate. In section 24, subsection 1, the sixth line is struck out. In section 25 we declare that the person removing spirits without the authority of the department, shall incur a penalty. But in the section determining the penalty, it speaks not only of the removal, but also of the delivery. For clearness the words 'and delivered' are struck out in section 244 of the Inland Revenue Act as amended by this Bill.

Motion agreed to.

CRIMINAL CODE AMENDMENT—TRADING STAMPS.

Bill (No. 196) in amendment of the Criminal Code, 1892—Mr. Fitzpatrick—read the second time and House went into committee thereon.

On section 1,

The Criminal Code, 1892, is amended by inserting the following sections immediately after section 526:

526a. In this section—

(a) The expression 'trading stamps' includes besides trading stamps commonly so called, any form of cash receipt, receipt, coupon, premium ticket or other device, designed or intended to be given to the purchaser of goods by the vendor thereof or his employee or agent, and to represent a discount on the price of such goods or a premium to the purchaser thereof, which is redeemable either

(i) by any person other than the vendor, or

(ii) by the vendor in cash or goods not his property, or not his exclusive property, or

(iii) by the vendor elsewhere than in the premises where such goods are purchased, or which does not show upon its face the place of its delivery and the merchantable value thereof, or is not redeemable at any time;

(b) The expression 'goods' means anything which is merchandise or the subject of trade or manufacture;

(c) The expression 'every one,' 'vendor,' 'purchaser,' 'merchant,' 'agent,' or 'person' includes any partnership, or company or body corporate.

Mr. FITZPATRICK. I beg to move to amend clause (a) by omitting the last paragraph beginning with the words 'or which does not show.'

Mr. R. L. BORDEN. I think we ought to have, what we have not yet had, a statement as to the reasons for this legislation, and also the legislation of the provincial legislatures which has been enacted on the same subject. I understand from some circulars which I have received, but only in that way, that the courts of the province of Quebec have come to a different conclusion upon the constitutional question from that which has been arrived at by the courts of Ontario. I think we ought also to have a statement as to the reasons of policy which have induced the government to make this a crime.

Mr. FITZPATRICK. I can give a statement with respect to the position of the litigation but as to the other matter, I think we will have to rely largely on the general outcry which has been raised in the community for this change. In Ontario and Quebec, legislation has been passed which would have, if valid, for effect the object which this Bill has in view, but in Quebec the matter has been the subject of consideration in the courts, and the result has been that the Superior Court of Quebec decided that the provincial legislation was intra vires of the power of the provincial legislation, but the Court of Appeal differed from that and found that it was a matter affecting trade and commerce and was not within the purview of the provincial legislature. The question I understand now stands for final adjudication by the Supreme Court of Canada.

Mr. R. L. BORDEN. I think we ought to have some statement on the question of policy. I have a perfectly open mind on the question, but would like to know the reasons which have induced the government to introduce the legislation, I think the House is entitled to that. On the face of it of course trading stamps are a perfectly innocent contrivance and no more to be created into a crime than any other kind of device to induce trade to flow into a particular channel. There may be good reasons for enacting this legislation. I know there is very strong feeling against trading stamps in many quarters, yet when we propose to create that into a crime which has not hitherto been a crime and which in its nature is no more a crime than many other methods employed in business in this and other countries, I think we should have a statement as to the reason.

Mr. GERVAIS. I would like to explain to the House just who are asking for this legislation and the reasons for its enactment. Let me say that I have no particular personal interest in the subject. This legislation, Mr. Speaker, is demanded by all the merchants and traders of Canada. That is quite a broad statement, but I think I have documents here on file which will bear it out. First of all, all the boards of trade of the country have been consulted as to whether or not in their opinion this commercial evil should be abolished, and in answer to that request I may say that all the boards

of trade have declared themselves against what they call a commercial pest, a commercial nuisance, a commercial conspiracy in restraint of trade. As light is always coming from Toronto I wish to read first a resolution of the board of trade of that city, which is as follows :

The Board of Trade of the City of Toronto.

Extract from the minutes of a council meeting held March 28, 1905, re trading stamps :

Whereas the use of trading stamps being considered injurious to legitimate trade,

And whereas the legislature of this province having passed an Act prohibiting the use of said trading stamps ;

Therefore be it resolved that the council of this board urge the Dominion government to pass such further legislation as may be found necessary to prevent the use of trading stamps in Canada.

Carried.

F. G. MORLEY,
Secretary.

Then there is another resolution passed by the Board of Trade of Halifax, reading as follows :

Resolved, that the council of the Halifax Board of Trade hereby urges upon the Dominion parliament the adoption at its present session of such legislation as will render illegal the issuing, distribution or sale of trading stamps or cash receipts, and provide also for the punishment of persons transgressing such law.

Then here is a resolution from the Board of Trade of Edmonton :

Edmonton, Alberta, N.W.T.,
2nd February, 1905.

Secretary the Federation of the Retail Dealers of Montreal.

Dear Sir,—At a full council meeting of our board, held to-day, the following resolution was unanimously passed :

That the Edmonton Board of Trade is in hearty accord with the Federation of the Retail Dealers of the city of Montreal, in the action it has taken to suppress the trading stamp companies, and it is trusted that the Dominion government will pass legislation declaring illegal the issuing, distribution and sale of these so-called trading stamps.

Yours faithfully,
F. FRASER TIMS,
Secretary-Treasurer.

Then I find another resolution of the Board of Trade of Berlin, Ontario, reading as follows :

Berlin, Canada, February 1, 1905.

N. Nightingale, Esq.,
Assistant Secretary,
25 St. Gabriel street, Montreal.

Dear Sir,—I beg to advise you that a meeting of the council of the board of trade was held last night and the following resolution was passed relating to trading stamps :

Resolved, that the Board of Trade of the town of Berlin request the Dominion parliament to pass a law declaring illegal the issuing, distribution and sale of trading stamps, and that the form of petition sent the board by the Federation of Retail Dealers of Montreal to be signed by our merchants be referred to the mercantile committee. The petition will no doubt be signed by our merchants and forwarded to you in due course.

Yours truly,
(Sgd.) H. J. SIMS,
Secretary.

There is another resolution passed by the Montreal Wholesale Grocers' Guild as follows

Resolution adopted by the Montreal Wholesale Grocers' Guild at a special meeting held for the purpose on Friday, 3rd February, 1905:

Whereas the Federation of Retail Merchants of this city is about to present a petition to the members of the Senate and House of Commons praying for the passage of legislation to prohibit the sale or distribution of trading stamps or cash receipts, and

Whereas the pernicious effects of the use of trading stamps have been recognized wherever they have been introduced, a number of cities and states of the United States having by law restricted or prohibited their sale, and

Whereas the by-law prohibiting the trading stamp business, adopted by the city of Montreal, is being attacked in the courts and thus a considerable time may elapse before a final decision is reached as to the city's power to prohibit trading stamps, during which time the trade of the retail and wholesale merchants will continue to suffer by the operations of the trading stamp company,

Therefore, resolved, that this guild unanimously supports the petition of the Federation of Retail Merchants and hopes that in the interest of a great majority of the merchants of Montreal and other cities where the trading stamp business has secured a foothold, parliament may be pleased to grant the prayer of the said petition.

(Sgd.) L. E. GEOFFRION,
President.
J. Stanley Cook,
Secretary.

Then I have similar resolutions adopted by the Board of Trade of Kamloops, B.C., by the Board of Trade of Victoria, B.C.—

Mr. DERBYSHIRE. And every other centre.

Mr. GERVAIS. That is true, but I think it would be better for the information of the House to mention the Boards of Trade that have passed resolutions.

Mr. R. L. BORDEN. I take it for granted that they have all passed resolutions. Suppose they have, why should this be made a crime?

Mr. GERVAIS. Will the hon. gentleman permit me to follow the course of my argument?

Mr. R. L. BORDEN. Yes.

Mr. GERVAIS. I will first explain to the House at whose request I am speaking, then I intend to offer a few technical or legal remarks, and then I shall complete my speech by advancing some moral and commercial reasons why this proposed legislation should become law. I have also

resolutions passed by the Chambre de Commerce of Montreal on the 8th of February, 1905, signed by Joseph Haynes; by the Brandon, Man., Board of Trade, passed on the 9th of February, 1905, signed by K. Campbell; by the Board of Trade of Vancouver, B.C., dated February 13th, signed by Wm. Skene; by the Montreal Wholesale Dry Goods Association of the Board of Trade, passed at a special general meeting held for the purpose on February 13, signed by J. Stanley Cook; by the Board of Trade of the city of Quebec, signed by E. Levasseur, and by the Three Rivers Chambre de Commerce, signed by J. A. Peltier. I have also a resolution signed by the Montreal Board of Trade as follows

Montreal, February 18th, 1905.

H. P. Nightingale, Esq.,
Assistant Secretary,
The Federation of the Retail Dealers of the city of Montreal ;

Dear Sir,—As the result of the consideration of your circular letter of the 30th ultimo, and of the representations of the Montreal Wholesale Grocers' Association and the Montreal Wholesale Dry Goods Association, all with regard to the desired suppression of the trading stamp system, the council of this board, at its meeting of 15th instant, adopted the following resolution :

Resolved that the council of the Montreal Board of Trade hereby urges upon the Dominion parliament the adoption at its present session of such legislation as will render illegal the issuing, distribution or sale of trading stamps or cash receipts, and provide also for the punishment of persons transgressing such law.

I am, dear Sir, yours truly,
(Sgd.) GEORGE HADRILL,
Secretary.

There is another resolution passed by the St. John Board of Trade which I shall read:

St. John, N.B., February 20, 1905.

Hon. Sir Richard Cartwright,
Minister of Trade and Commerce, Ottawa.

Sir,—I am instructed by the council of the St. John Board of Trade to advise you that this board heartily supports the action of the Federation of the Retail Dealers of Montreal in their effort to obtain from the Dominion government the passing of a law against the sale and distribution of trading stamps, and we urge upon the government the necessity of amending the present Criminal Code in such manner as to declare illegal the issuing, the sale and the distribution of said trading stamps.

I have the honour to be, sir,
Your obedient servant,
(Sgd.) W. E. ANDERSON.

There is another resolution passed by the Board of Trade of Peterboro, Ont.

Now, I may say that I have in my hand many petitions signed by wholesale and retail merchants throughout the Dominion of Canada praying this parliament to pass such legislation as will make it a misdemeanour, as it is called in the criminal code, to print, issue or circulate trading stamps. In these resolutions the commercial interests of the country declare themselves as being against this commercial evil. I will take, for example, a resolution passed by the St. Mary's branch of the Retail Merchants' Association of Canada. Let me say that I have over 60 of these resolutions which have been adopted by retail merchants, the smaller and weaker merchants of the province of Ontario, and these retail merchants have declared themselves as a unit against the system. The St. Mary's branch of the Retail Merchants' Association of Canada say in their resolution:

Head Office of the Retail Merchants' Association of Canada.
(Incorporated)
Organized to Protect the Commercial Interests of all Sections of the Retail Trade, and to Advocate Honest Goods and Honest Trading.
21 Richmond St. W., 1st Floor.
Toronto, Canada.
E. M. TROWERN, - - Dominion Secretary.
Phone Main 2316.
All Retail Merchants United.

Boot and shoe dealers, butchers, bakers, booksellers and stationers, confectioners, coal and wood dealers, druggists, dry goods, furniture dealers, fruiterers, fancy goods dealers, grocers, gent's furnishings, hardware and stove dealers, hatters and furriers, jewellers and watchmakers, merchant tailors, milk dealers, opticians, restaurateurs, tobacconists, undertakers, &c., &c.

Address all Communications to the Dominion Secretary, Toronto.
'The Retail Merchants' Journal'
The Official Organ.

St. Mary's Branch.

March 3, 1905.

To the Honourable
Senators and Members of the
House of Commons of Canada.

Honourable Sirs,—

On behalf of the members and electors of the St. Mary's branch of 'The Retail Merchants' Association of Canada,' doing business in the said constituency, we desire to submit to you the following resolution:—

Whereas—There has been introduced into this country by so-called Trading Stamps and Coupon Companies, and by a few individual merchants and manufacturers, a system by which these companies and persons furnish to merchants and to customers, a number of stamps or coupons, to be given to cash purchasers in proportion to the amount of goods purchased, which stamps and coupons the companies and individuals afterwards redeem from the purchasers, by giving them certain showy articles. The value returned to the customers is estimated at about one-half or one-third of the stated value of the coupons or the price paid by the merchants for the stamps.

Your memoralists submit that the whole system is pernicious, and a large profit is claimed by the Trading Stamp and Coupon Companies, and no adequate return is made, either to the merchants or their customers. It is an imposition upon trade for the purpose of inciting false competition, encouraging many merchants to raise the price of their wares to meet this speculative craze on the part of many purchasers, and it leaves the customers entirely in the hands of these companies, or persons,

to place whatever price they may choose upon the wares these companies or persons carry in stock, as they are paid for by the merchants and customers who purchase these stamps before the articles are delivered.

Some merchants and manufacturers adopt this system who are entirely indifferent to methods of commercial morality, and by their adoption other merchants follow much against their inclination, in order to strive and preserve their trade, and thus business is demoralized and the welfare of the public is endangered.

Your memoralists therefore ask that the Criminal Code be amended in such manner as to declare illegal the using, the sale, the receiving, and the distribution of trading stamps, coupons, and all other similar devices.

F. W. HUTTON, President.
W. A. McINTYRE, Secretary.

In regard to this resolution I might say in comment, that the memorialists use precisely the same words that were used a few years ago by Chief Justice Field of the Supreme Court of the United States. A similar resolution has been adopted by the branches of the retail merchants association, amongst many others the following cities and towns of Ontario :

Branches:

Acton,	Windsor,
Lindsay,	Hamilton,
Berlin,	London,
St. Catherines,	Kingston,
Orangeville,	Peterboro'
Belleville,	Petrolea,
Goderich,	Hespeler,
Sarnia,	Niagara Falls,
Preston,	Dundas,
Port Hope,	Elmira,
St. Thomas,	Toronto,
Guelph,	Ottawa,
Ingersoll,	Deseronto.
Clinton,	

At one o'clock, Committee took recess.

Committee resumed at three o'clock.

Mr. GERVAIS. When the committee took recess at one o'clock, I had finished quoting the resolutions passed by the Board of Trade and by various other commercial bodies in Canada. The consensus of opinion expressed by all these bodies goes to show that from the point of view of wholesale merchants, commercial agents, bankers and traders, the trading stamp is a nuisance and a conspiracy in restraint of trade. Now, who are the parties opposing this legislation ? Who are the men who have engineered that commercial nuisance ? They are but a handful, about half a dozen throughout Canada. Who are the parties to the suit, as we say in court; who are the parties interested in this case ? You have on one side all the traders of the country, and you have on the other side three or four men who are reaping a golden harvest from this illegal and immoral trade. Now, I will try to explain to the House what is the bone of contention, what is the cause of action. To avoid misunderstanding, I will define a trading stamp according to my own contention; and later on I will quote a definition of a trading stamp given by the American and English Encyclopedia of Law. First of all, I give as my definition of a trading stamp the following : A trading stamp is a kind of paper money which may be issued by any one, even by a schemer without capital, under such circumstances as to result in a conspiracy in restraint of trade, in fleecing the merchants' customers, and in a continuous violation of the accepted principles of sound currency. Now, Mr. Chairman, permit me to give a short sketch of the legislation relating to trading stamps. In a few words, I will show the committee what has been the Canadian provincial legislation in relation to trading stamps, and what is the foreign or American legislation in relation to the same matter. We find that only two provincial legislatures have passed statutes to prohibit the use of trading stamps. I quote first from the statutes of Ontario of 1901, chapter 26, the Municipal Amendment Act, section 41, which says that by-laws may be passed by the councils of cities, towns and villages:

41. For prohibiting the giving, selling, distributing or receiving of trading stamps, coupons, or other similar devices, and for prohibiting the giving, selling or dealing therewith by any person, firm, or corporation engaged in trade or business.

(a) No such by-law shall apply to any merchant or manufacturer who places in or upon packages of goods or delivers to the purchasers of goods sold or manufactured by him, tickets or coupons to be redeemed by such merchant or manufacturer either in money or merchandise,

(b) No such by-law shall come into force or take effect until after the 1st day January, 1902.

Later on, in the Ontario statutes of 1903, the Consolidated Municipal Act, chapter 19, section 41, provides that by-laws may be passed:

For prohibiting the giving, selling, distributing or receiving of trading stamps, coupons, or other similar devices, and for prohibiting the giving, selling or dealing therewith by any person, firm, or corporation engaged in trade or business.

(a) No such by-law shall apply to any merchant or manufacturer who places in or upon packages of goods or delivers to the purchasers of goods sold or manufactured by him, tickets or coupons to be redeemed by such merchant or manufacturer either in money or merchandise.

And finally, in 1905, the Ontario Legislature has passed the following amendment :

27. Clause 'a' of paragraph 41 of section 583 of the Consolidated Municipal Act, 1903, is repealed, and the following substituted therefor :

A. No such by-law shall apply to any merchant or manufacturer who places in or upon packages of goods, or delivers to purchasers of goods sold or manufactured by him at the time of such purchase, tickets or coupons, which

bear upon their face the place of delivery thereof, together with the cash or merchantable value of the same, and are redeemable at any time, and only by the merchant or manufacturer giving them and only at the store or factory where such goods were sold or purchased.

The Quebec legislature, in 1903, passed an Act, chapter 39, giving certain powers to the councils of cities, towns, villages and parishes. Sections 1 and 2 of this Act provide :

1. The municipal council of cities, towns, villages and parishes may pass by-laws for prohibiting the giving, selling, exchanging, distributing or receiving of trading stamps, coupons or other similar devices, and for prohibiting the giving, selling or exchanging the same by any person, firm or corporation; and, by every such by-law, may provide that any person infringing the same shall be liable to a fine not exceeding twenty dollars, and imprisonment not exceeding three months in default of payment.

2. No such by-law shall however apply to any merchant or manufacturer who places in or upon packages of goods, or delivers to the purchaser of goods, sold or manufactured, tickets or coupons to be redeemed by such merchant or manufacturer either in money or merchandise.

One may see at a glance that the Ontario law and the Quebec law are quite similar. As a matter of fact, the Quebec law is a reprint of the Ontario law. By the provincial laws of Ontario and Quebec, authority is given to the municipal councils of cities, towns and boroughs to pass by-laws to prohibit the giving or receiving of trading stamps. That is the state of provincial legislation on the subject of trading stamps up to the year 1905. Permit me now to quote some foreign laws in relation to the same evil.

When I speak of foreign legislation in relation to trading stamps, I refer to the laws of certain states of the United States of America. The trading stamp evil has never existed ouside of Canada and the United States ; therefore, except in these countries no special legislation against trading stamps has been necessary. The trading stamp scheme was originated in the United States about 10 years ago, and was imported into Canada about the year 1900. I said a moment ago, that a number of the states of the United States had adopted legislation to prohibit the use of trading stamps. Among the state legislatures that have adopted such laws are those of Rhode Island, Alabama, Maryland, Massachusetts, Vermont, Virginia and New York. The same principle has been adopted in the district of Columbia. As a specimen of these laws I may quote the statute passed by the legislature of the state of New York, in the year 1904. This law is chapter 657 of that year, and is called an Act to amend the penal code relating to the issue and redemption of trading stamps, or other devices. And, according to that statute, the use of trading stamps is forbidden, unless redeemable and the value in money shall be printed on the face of the stamp. Then it provides that persons who sell or issue trading stamps shall redeem them in money or goods at face value. Section 4 of the law provides :

Any person or corporation who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanour.

No special punishment is enacted in the statute. We have to refer to the penal code of the state of New York to ascertain what the punishment is for issuing or redeeming trading stamps. Turning to article 15 of the penal code of the state of New York, annotated 1903, I find the following:

A person convicted of a crime declared to be a misdemeanour, for which no other punishment is specially prescribed by this code, or by any other statutory provision in force at the time of the conviction and sentence, is punished by imprisonment in a penitentiary, or county jail, for not more than one year or by a fine of not more than five hundred dollars or by both.

A few words now about the state of jurisprudence as to the constitutionality of these special enactments against trading stamps. In the province of Quebec, it has been held by the court of appeal of that province that the law of the province empowering the city council of Quebec and the city council of Montreal to pass a by-laws to prohibit the use of trading stamps was not constitutional, on the ground that it is within the exclusive jurisdiction of this Dominion parliament to enact any law relating to trade and commerce, under article 91 of the British North America Act. But we find that in the province of Ontario the court of appeal on a reference of the provincial government has given a contrary decision. But, if my memory is good. I believe that during the month of February, 1905, Judge Morgan, in Toronto, held in accordance with the dictum of Ontario Appellate Court, that the law of Ontario prohibiting the use of trading stamps was not unconstitutional, as it related to a subject within the jurisdiction of the Ontario legislature, but held that the by-law passed by the Toronto municipal council and the Ontario law of 1903 were defective and he granted an injunction against the application of said by-law

Now, let me refer for a moment to the state of jurisprudence on this subject in the United States. For I know that my hon. friend and opponent will say that these state laws prohibiting the use of trading stamps have all been declared unconstitutional, and will raise the objection of unconstitutionality against this proposed Bill. But Mr. Chairman, the argument is wholly inapplicable to the present measure. If these state laws have been declared unconstitutional it is because they were passed in direct opposition of the 14th amendment to the constitution of the United States, passed and adopted in 1865. But the very argument against the constitutionality of these several state laws is the strongest argument in favour of the

constitutionality of the Bill here proposed. As you know, the constitution of each of the states of the United States is a written constitution and strictly limited. The legislature of any state of the union has no power to deal broadly with matters of trade and commerce. We have no such limitation. The parliament of the mother country has not imposed any restriction upon this parliament in its power to regulate matters of trade and commerce. It has not declared what shall be deemed matters of trade and commerce; who shall be parties to a commercial contract; what shall be the form of such a contract; or what shall be the cause of its nullity. There is no danger that this law will be declared ultra vires, for we have full power to regulate our trade and commerce for the benefit of our merchants and traders. There is no danger in this case that the imperial law of 1865, which declares that the colonial laws may be void for repugnacy will be applicable to this Bill.

Let us now come to the special reasons and motives why this Bill should pass. I have stated that indirect taxation and direct loss are the results of this felonious and fraudulent device and that it operates to the detriment of bona fide traders, and creates a monopoly. No doubt every one in this House knows how this trading stamp business is worked. With five dollars capital a man can go into it. He does not need any bank account. All he requires is about 50 pounds of stamps, which may cost him $2.50, and he is then equipped for the enterprise. The trading stamp people will not go to every trader and merchant, because that would kill the scheme and there would be no profit in it. They will go exclusively to Mr. A, Peter street, dealing in groceries, D, on Notre Dame or Yonge street, dealing in jewellery, then to F, on Jarvis street, dealing in hardware. Then they will make a contract with these parties by virtue of which they will buy from the trading stamp people, who bind themselves not to sell to any other merchant in the same lines of business as those with whom they have made contracts. What is the result of it all ? The result is that these trading stamp people are creating an outrageous monopoly in favour of A, D and F, to the detriment of bona fide merchants living within a stone throw of these other establishments.

You may say : After all what is there wrong about that ? That is one of the ten or twelve natural inalienable and imprescriptible liberties laid down by the law of nature. These include civil and religious liberty ; and when traders issue such stamps they are simply enjoying that natural liberty of trading which is declared by James Lorimer as inalienable and imprescriptible. But there is such a thing as abusing a natural right. There is no reason why these companies should not issue trading stamps so long as they do not discriminate and endeavour to discredit and depreciate the business of those who are not their customers. These trading stamp people, who have made contracts for the sale of their stamps, have to bind themselves to certain conditions. The first condition, as I said, is that they will not sell any to a neighbouring merchant. They further bind themselves to send out canvassers who will visit each house in the district and interview each wife and show her the advantage of dealing with stores which give those stamps. Here, for instance, is a synopsis of the usual conversation :

Agent.—Well, Madam, have you heard that Mr. Peters, the grocer on the corner, is now giving trading stamps?

Wife.—Is that so, what does it mean?

Agent.—It means that they are giving gifts by the bushel ; are you dealing with Peters ?

Wife.—No, I am not.

Agent.—Well, it is too bad, who is your grocer?

Wife.—It is Mr. Jones.

A. Well, the goods of Jones are no good ; he makes no gifts. Go to Peters, the man who gives trading stamps.

And the little wife, without consulting her husband, will go to Peters and will buy worthless articles. The result is that an outrageous monopoly and conspiracy in restraint of trade is created against bona fide grocers and others in favour of a few petty trading stamp people. This use of trading stamps is very demoralizing. It is demoralizing in this respect, that it teaches the poorer people that they can get something for nothing. And in a utilitarian age such as ours, it is an outrage to teach the poor people that they can get something for nothing. A second bad effect is that these trading stamp people hold out temptations to our retail merchants to robbery and other dishonest practices. Competition is so keen nowadays that a net profit of 5 per cent is a good profit. What then is the result of the use of trading stamps ? The result is that the profits of every dealer are going into the pockets of the trading stamp people. How can the retail trader make compensation for the loss on trading stamps except by robbing his customers, or going into bankruptcy and then making his creditors the losers. I am not drawing too gloomy a picture of the condition of affairs. I might give names and dates to show that in the city of Montreal and Ottawa poor people are being deceived by the scheme of the trading stamp people. You know what are the results which follow the issue of any paper money. Poor people think that the moment they have a bit of paper in their hands bearing a stamp, it is negotiable and may be given in payment for something. That is why I say that the use of trading stamps is utterly demoralizing to the people as it induces the poorer classes to think they can get something for nothing, that they can get something for

money paper, for fiduciary or representative paper money. The trading stamp business is a direct violation of any accepted principle of currency. On referring to the American and English encyclopedia of law, I find that the definition which is there given of a trading stamp is very misleading, that it is purely and simply a hypothetical rather than a real genuine and practical definition, and I will not accept for a moment that definition which I find at page 442 of volume 28 of the English and American Encyclopedia of Law.

It is very strange that the State, that the central authority, which is over-jealous about its control of currency, should be so negligent as concerns the issue and circulation of currency by private individuals, as it has been in this case. You know as a matter of fact that nobody in the land can issue a bank note except a state bank properly authorized by special Act of this parliament under certain conditions both as regards the subscription of stock and the keeping in its coffers of a gold reserve and the placing of a deposit in the hands of the Finance Department of this government. You know I cannot issue a bond, I cannot issue a debenture, I cannot issue a share in a company, unless I have filed with the Secretary of State a memorandum of agreement, a memorandum of partnership disclosing the amount of the capital of the concern, the names of the subscribers, the names of the directors, the amount of capital paid and so on, and I cannot issue a debenture unless I comply with certain strict conditions. But in this case what do you find ? You find capitalless people,—if I may be permitted by the rules of English grammar to coin a new word—you find capitalless people who are starting the issue of paper money without any authorization whatever, without any guarantee as to their means or as to the reserve. I declare it an outrage to permit trading stamp people to issue so called paper money with a fictitious face value of one hundred per cent when it has but a value conceded by them of 5 per cent and a real and genuine value of only 1 per cent.

Is it not apparent to every one that the circulation of any such paper money may have a very detrimental effect amongst the people ? What is the result ? The result is that should this Bill become a law tonight you will not find in Canada perhaps more than one person, that is one merchant in the city of Montreal, who will stand up to-morrow to pay the coupons which have been issued by the carload. All the other people will have gone, will have spirited away as was the case when the Quebec legislature passed its provincial law empowering the municipal corporation of Quebec to prohibit the issue of trading stamps. The next day the ten concerns which were dealing in trading stamps had disappeared. It was just as in the spring after a late snowstorm, the snow all melts away. They had gone and nobody could be seen in Quebec to give by way of redemption the showy articles they had been promising for months to the foolish intending purchaser. What occurred in the city of Quebec is what will occur throughout the cities of Canada if this Bill becomes a law. Some trading stamp schemers having felt their position very weak and felt the opposition to their practice so strong that not more than eight days ago one of them, when he saw that the Minister of Justice was about to introduce a Bill felt unwell and thought fit to publish in the Montreal 'Herald' a written guarantee under his hand and seal stating that as far as the trading stamps issued by his house were concerned, they would all be paid even if this Bill becomes a law. That all goes to show that my contention is right, that the issue of those trading stamps is the issue of—I will not say of paper money, full paper money—but of a kind of paper money. It is a sort of paper money which is put into circulation by irresponsible people, by unknown people, for the sole purpose of deceiving by false pretenses the unwary intending purchaser.

The opponents of this Bill will say : It is all very well, this Bill is in favour of abolishing monopoly, of maintaining morals among the people, of maintaining sound principle in so far as the currency of money is concerned, but the great argument of our opponents to this Bill is that the hon. Minister of Justice is invading natural liberty, invading that inalienable principle of freedom of all kinds, even freedom of expatriation since 1872. Well, I will answer this. If you take the 8 or 10 codes which are now in force in the different provinces of Canada and in the 65 states doing business around the world, you will find that those series of codes are purely and exclusively sets of rules invading the ordinary natural liberties of man, but these invasions upon natural liberties have been accepted and declared essential and necessary for the sake of all, for the sake of the masses, for the sake of the people, for the sake of the state; it is only a question of whether or not in this exceptional case there are sufficient grounds for interfering with this trading stamp enterprise. If you consult the authors who have written on anti-commercial combinations in restraint of trade you will find out that the circumstances under which that great trading stamp scheme is worked are directly in opposition to commercial practice and I say that this Bill instead of interfering with liberty of trade is an effort to make the trade of Canada perfectly free.

Instead of working against liberty of trade it is working in the direction of liberty of trade. This Bill should be accepted as it is. It should not be made a party question, because, as my hon. friends from Ontario know, the merchants in the towns of that province have joined with the merchants of the province of Quebec and other parts of Canada in urging the abolition of

this trading stamp pest. I repeat this is not a party question. It is a national question, and it is a question which should be agitated in the interest of trade by hon. members on both sides of the House. No trader has any regard for political considerations in advocating the passage of this Bill. We should be fair to every man who is interested in the commerce of Canada and try to free our traders, our wholesale and retail merchants from that commercial usage which has been called the trading stamp nuisance. This parliament, some years ago, prohibited the importation of the San José scale and why should we not try to prevent that American commercial evil, coming from the United States of America, from taking root in our country? Mr. Chairman, who are the parties at issue? Who are the parties to the action, because we are the jury of the country? You will find on the one hand all the traders of all classes and on the other hand you will find a few schemers. They are only a few schemers headed by a few lawyers. We have the commercial interests of the country and the universal consensus of opinion in our favour.

Mr. FOSTER. Now, perhaps, the hon. Minister of Justice will explain to us what this Bill is meant to do?

Mr. FITZPATRICK. To give effect to the speech which we have just heard.

Mr. R. L. BORDEN. I thought there were some amendments.

Mr. FITZPATRICK. Yes, I am going to strike out some words. I beg to move:

That lines 19, 20 and 21 'or which does not show upon its face the place of its delivery and the merchantable value thereof, or is not redeemable at any time' be struck out.

Mr. KEMP. What would be the effect of that?

Mr. FITZPATRICK. That the law shall not apply provided the stamp shows on the face of the stamp what the value of it is.

Mr. BARR. Would not the effect of that be to restore the right?

Mr. PORTER. Will that not have the effect of preserving to these trading stamp people or people occupying a similar position just exactly the thing we are trying to do away with by this Bill?

Mr. FITZPATRICK. In what way?

Mr. PORTER. For instance, if a manufacturer of cigars or soap puts a band upon his product in that way and it is delivered to his customer, if this clause is stricken out some people will be able to speculate upon that.

Mr. FITZPATRICK. How?

Mr. PORTER. Whereas, if they are obliged, according to the terms of the original Bill, to state the value, to name the place of delivery and the place of redemption and to state that it is redeemable at all times that could not be done.

Mr. FITZPATRICK. The intention is to interfere to as small an extent as possible with legitimate advertising, because, after all we must admit that what we are now doing is to declare ordinary advertising a criminal act. What is intended here is to enable advertising to be done within certain limits, at all events what we desire to reach is the trading stamp as it is issued by the merchant to be redeemed elsewhere than at the place of business of the merchant who issued it. It is perfectly legitimate for a gentleman, for instance, who is manufacturing soap, to put a label on his soap provided the label is redeemable by himself. I do not see anything wrong about that. That to which we object is that it should be dedeemed at some other place by some other person than the man who issued it.

Mr. PORTER. Do I understand the hon. minister to mean that if a manufacturer makes an article and puts a band upon it it is legitimate advertising if it is redeemable by him alone at a certain fixed value?

Mr. FITZPATRICK. If this Bill remains as it is, it would require him to put upon that stamp the amount for which the stamp shall be redeemable. I do not think that is necessary.

Mr. BARR. Could he say that it would be redeemable by so much soap, or so much trade, or so much cash?

Mr. FITZPATRICK. Any way he pleases.

Mr. BARR. Then, I am afraid that we are just opening the door to all the iniquities from which we have suffered in the past. We have had almost every class of the community asking that this evil should be removed. Not only the provinces of Ontario and Quebec, but all the other provinces of the Dominion would have legislated this evil out of existence years ago if they had had the power to do so. We find that this is nothing more than a gambling institution under which people are led to believe that they will receive a certain amount, and as they are, as my hon. friend said, anxious to get something for nothing, they gather up stamps believing that they will be able to get an article of value in exchange for them. But at the end of the season they go to the place where these trading stamps are to be redeemed, and they do not find what they want. They find that they can get certain things that are not worth 25 cents on the dollar. The result is that they have to take trash of that kind or nothing. It has been contended by some people that this sysem is on a par with giving 5 per cent discount. I submit it is nothing of the kind, and I am afraid that if we pass this

legislation in this way a person will be able to go into a store and get trading stamps for say 5 per cent of the value of the goods purchased. That trading stamp is to be redeemed within a certain time. People go to the place where it is to be redeemed, and finding they have not just what they want, the result is that after having made their purchases they get very little, and I am afraid that that matter will still be in the same position if this proposed amendment is adopted and that they will get very little for their discount. The country demands that this practice should be put a stop to. I have received a number of letters and telegrams from retail and wholesale dealers and from several others in my riding asking me to support a Bill that will not permit this practice to continue, with some slight modification in deference to the law, but to support a Bill that will root out the evil entirely. I believe that by passing such a measure we will be doing justice to the country. This is a most undesirable way of advertising. There are plenty of legitimate methods of advertising; a merchant can offer 5 per cent or 10 per cent discount to attract customers, but under the form we have had these trading stamps used, the system has been a fraud and will continue to be a fraud unless we legislate against it.

Mr. FITZPATRICK. I do not think those who criticise the Bill understand the effect of the amendment upon it. I do not care very much whether the Bill goes through in its present form or not. But I must insist on an amendment to add after the word 'vendor' in the first paragraph the words 'or manufacturer.' For instance, a soap manufacturer sells soap by the car lot to the retail dealer who sells it to the general public, and the purchasers come to the retail dealer to redeem the coupons which the package contains and which has been put in at the factory, and the retail dealer sends the coupon to the manufacturer for redemption. I think there is no harm in the world in the soap manufacturer doing that, but this Bill will prevent it.

Mr. PORTER. That may be a good provision, but I object to striking out these three lines.

Mr. FITZPATRICK. Let us know what effect it would have on the Bill to do that?

Mr. PORTER. It occurs to me that it would destroy the object of the Bill if we were to do that.

Mr. FITZPATRICK. What bearing can it have upon the section?

Mr. PORTER. I may illustrate by saying that the Bill originally passed by the Ontario legislature contained the following:

> Provided, however, that this Bill shall not apply to any merchant or manufacturer who places in or upon packages of goods or delivers to the purchasers of goods sold or manufactured by him, tickets or coupons to be redeemed by such merchant or manufacturer either in money or merchandise.

In order to evade this provision, those who dealt in trading stamps formed themselves into a partnership and had a central depot at which these coupons were redeemed. That is the reason why the amendment in the statute of 1905 was made, and on the passage of the amendment a new by-law was made by the city of Toronto providing against the formation of such combines. If we omit these words from the Bill they will be able to do the same thing as they did in Toronto.

Mr. FITZPATRICK. If there was any combine such as is referred to by the hon. gentleman (Mr. Porter) it would be met by sub-paragraphs 2 and 3 of this section. The words which I ask to have omitted would legislate against the soap manufacturer who puts the tickets in at the place of manufacture and who redeems them. He would be required by virtue of these words to mark upon that label the date of delivery and the place of business, and I do not think that is necessary.

Mr. KEMP. Is the coupon redeemable in merchandise or cash?

Mr. FITZPATRICK. Anything a man chooses to give for it. Generally they give umbrellas or sticks or something like that.

Mr. PORTER. I believe that leaves the door open to perpetrate the very frauds which I complained of. If there is no fixed value upon that coupon there is nothing to prevent misrepresentation, and when the holder of the coupon goes to have them redeemed he does not get the value at all. It seems to me there can be no reasonable objection to the manufacturer putting the redeemable value upon the coupon.

Mr. FITZPATRICK. I move that the words 'or manufacturer' be inserted after the word 'vendor' in paragraph 1.

Mr. A. A. WRIGHT. I am totally opposed to these so-called trading stamps; they are a nuisance; but there is a legitimate branch of business carried on by retail merchants which ought not to be prohibited. For instance, a grocer places a lot of crockery in his window, each article being marked at a certain price, and when the customer purchases 25 cents worth of goods he gets a coupon value for 1 cent. When enough of these are collected the customer goes into the store and can buy any article in the window with the price of the article marked upon it. That is perfectly legitimate and it ought not to be prevented.

Mr. FITZPATRICK. That is not prevented by the Bill.

Mr. TAYLOR. That is a discount.

Mr. BERGERON. This amendment seems to be intended to meet the case of the soap manufacturers, but I understand there is a custom among dealers in flour who are not manufacturers to give these tickets or coupons and that class of business would not be covered by this amendment.

Mr. FITZPATRICK. It would not be covered by the amendment.

Mr. BERGERON. Then those merchants have no protection ?

Mr. FITZPATRICK. It seems to me they ought to be protected.

Mr. BERGERON. Is it not unjust to protect some and not others?

Mr. FITZPATRICK. We had better discuss the whole clause and hear the objections, and perhaps I may move that the committee rise, and when we come to consider it again I will be able to meet the objection. It must be admitted that it is novel legislation.

Mr. FOSTER. Almost everybody admits that there is an evil which needs to be corrected ; the point is how to correct it. I was going to ask the Minister of Justice if his resources were not equal to the task of correcting that evil without making it a criminal offence. What is the objection to your soap dealer or any one else who puts one of these coupons in a package, which is to be redeemed afterwards by himself, saying in what it will be redeemed ?

Mr. FITZPATRICK. If you leave the words in, he will be required to say that.

Mr. FOSTER. What is the objection to his saying that ? There must be a definite value attached to that coupon, otherwise it would not be an inducement at all.

Mr. FITZPATRICK. I think I had better ask the committee to rise, report progress, and ask leave to sit again, in order to give me an opporunity to consider the points which have been raised. It seems to me that I would require to provide not only for the case of a manufacturer, but also for the case of a wholesale merchant. One difficulty which ought to be considered is that there are a great many of these trading stamps out now. The question is whether we ought not to fix a time when this Act shall be enforced, so that those now out will be redeemed.

Mr. R. L. BORDEN. I have not heard very much commendation of this measure from the treasury benches. The only member of the government who has expressed himself is the Minister of Justice, and I gather from his remarks that he is absolutely opposed to it.

Mr. FITZPATRICK. I want to say immediately, so far as this legislation is concerned, as well as all legislation of a similar character, that personally I am absolutely opposed to paternalism.

Mr. R. L. BORDEN. I see that my view of the hon. gentleman's opinion is exactly accurate.

Mr. FITZPATRICK. I am introducing the Bill on behalf of the government.

Mr. R. L. BORDEN. Quite so. The hon. gentleman has to perform a duty as Minister of Justice, although he is not at all in sympathy with the measure he is introducing, and he gives the best explanation he can. He does not exactly damn it with faint praise ; he damns it with a very straight expression of his opinion that it is not good legislation. It goes a very long way, there is no doubt about that, and it is very unusual. At the same time, I believe, if we may rely upon what we have heard from my hon. friend from St. James division (Mr. Gervais) there is a very strong public opinion against the so-called nuisance which has arisen from the use of trading stamps. I do not know that I exactly apprehend what is being done. If I do, it is something like this. Men who are the proprietors of these trading stamps go to some man in a particular business and prevail upon him to sell the stamps.

Sir WILFRID LAURIER. Not to sell them, but to buy them.

Mr. R. L. BORDEN. I intended to say 'buy.' They prevail upon him to take these trading stamps, and to pay them a certain percentage of the cash receipts which he receives for goods for which the trading stamps are given.

Mr. FITZPATRICK. The stamps are redeemable at their place of business. There are different kinds of trading stamps.

Mr. R. L. BORDEN. The merchant gives these stamps away, and the proprietors of the trading stamps redeem them, and in that way they gain a considerable profit. They take in effect a part of the profit of the retail dealer, giving to the general public certain articles, and keeping a shop for that purpose. It is alleged, with what truth I know not, that the articles delivered from that shop are not up to the mark, and that the people who take these trading stamps get less for their money than they would get if these trading stamps were not in existence.

Mr. BERGERON. And still they go back to them.

Mr. R. L. BORDEN. And still they go back to them. If you propose to deal with matters of that kind by criminal legislation, you must in the end treat as a criminal every man who in any way seeks to make a livelihood by trading upon the credulity

or folly of other people. That is about what it amounts to.

Mr. GERVAIS. That is done in every country in the world.

Mr. R. L. BORDEN. I am not opposed to the Bill, but I do say that if this parliament undertakes to carry out that principle to its fullest extent, it will have to increase the criminal code four or five times over, and in the end it will find that it is undertaking a contract which it is absolutely impossible for any human legislature to carry out. It may be that this evil is of so exaggerated a character that we must depart from the usual course of legislation. There seems to be a great outburst of public opinion against it; but looking at it simply from the standpoint of principle, I do venture to think that we have undertaken something that we cannot carry out to a logical and legitimate conclusion.

Mr. BERGERON. Something else will spring up.

Mr. R. L. BORDEN. Something else will spring up, as my hon. friend says. It is merely a sort of compulsory advertising, as I understand, and no doubt it leads to great abuses; but I believe there are at the present time, in trade and commerce in Canada, the seeds of just as great abuses. There are other devices of a similar character which are not so widespread, and it would be absolutely impossible for this parliament to deal with those abuses and remedy them, because they are abuses which are not recognized as coming under the criminal law, but are due to the fact that people will be careless and foolish and gullible, and think they are getting good bargains when on the contrary they are making very bad ones. Eventually you may have to crush out departmental stores—I am not saying they are an evil—or prevent these stores from having bargain days—you may have to do any number of things if you are going to proceed along this line. While I am not proposing to offer any opposition to the Bill, I think its provisions should have careful consideration, so that we may know where legislation of this kind will lead us to.

Sir WILFRID LAURIER. This legislation does not require the commendation of the government. It carries its own commendation. The applause which greeted it from hon. gentlemen opposite shows conclusively that there is greater objection to this trading stamp business than would appear at first sight. It is a form of compulsory selling, and above all things it is a lottery. Of course we cannot protect poor humanity against its own follies in every case, but there are some cases in which the legislators in every civilized country have undertaken to protect people against themselves. Nearly every country prohibits lotteries. In Canada we have been obliged to make the laws against lotteries more severe, and we have legislated against bucket shops and other devices of an equally shady character.

I was impressed by the numerous delegations which waited on the government regarding this measure, and I was particularly impressed by this consideration that poor people, the wives of mechanics, whose incomes are not large, are induced to buy beyond their legitimate requirements in order to get these stamps; and when they have enough to make a book, they can go to a store and get a chromo or a glass jar or something of that kind for which they will pay double the value. This is why we have thought it advisable to support this measure; but at the same time, we could not undertake to legislate as my hon. friend suggests, because that would open the door to other abuses. There are some forms of abuses, such as lotteries and speculations in bucket shops, which are so glaring and far-reaching that parliament ought to interfere and put an end to them if possible, and this comes within that category.

Mr. A. A. WRIGHT. It has come under my notice this last week, and the report is current among the people, that this measure would become law. Consequently those who have a certain amount of stamps are anxious to have them redeemed as soon as possible. These stamps are collected mainly by women; and if one has not sufficient to fill her book, her neighbour will give her what she has and then she will try and get them redeemed. But when the woman goes to the store, what is the story they are put off with? The storekeeper will say: We are nearly out of goods. We expect a consignment next week. In consequence of being put off in this way, the holders of these books have come to the conclusion that these trading stamp parties have no intention of getting any more goods, but some fine morning will take wing and fly away, and there will be no means of collecting the value of the stamps.

Mr. KEMP. Certainly some remedy should be applied to this abuse. These trading stamp companies, small and insignificant as they are, are permitted to do what no other kind of financial corporation can do. They are permitted to circulate money. This trading stamp resembles a postage stamp. They are sold at $5 for $100 face value. The merchant hands them out to his customer and they get into circulation that way. When a customer gets $100 worth he can go and exchange it for some article valued at from 25 cents to $1. He never gets anything worth $5. A greater evil is this, that a great amount of these stamps are never redeemed. Very few people can get $100 together. The people who have been deceived into taking these stamps are

generally poor people, and it takes them a long time to collect $100. Where the tremendous profit of the trading stamp companies comes in is due to the fact that the stamps are never redeemed. Then, as the hon. member for Renfrew (Mr. Wright) has just pointed out, when people present the stamps at the store, they will be told that the store is out of goods but some are expected in a few days, and in the end the trading stamp agents get away without paying anything. I am in favour of our doing something to put a stop to this abuse.

Mr. R. L. BORDEN. Any danger from the principle of lottery is preserved by this Bill. It is perfectly possible still for any man, who is a vendor of goods, to give out a trading stamp, and redeem it in his own store. That leaves the lottery principle still untouched. If this Bill is based on the idea of putting a stop to lotteries it should go further and prohibit trading stamps given by the vendor himself for redemption at his own place of business. I would recognize legislation against the principle of lottery as very wise, but it does not seem that this legislation proceeds on that basis. It is not framed from the standpoint of the purchaser but from the standpoint of the ordinary vendor, and its object is to prevent the trading stamp proprietor from receiving a portion of the vendor's profits. I am not objecting to that. The evil may be so great as to require legislation, but let us understand the principle on which we are acting. If it is intended to prohibit lotteries, we should go further.

Sir WILFRID LAURIER. I do not now dispute anything stated by my hon. friend (Mr. R. L. Borden). But we are dealing with an evil that exists. It may be that, if we dealt with all covered by this principle, we should go further than we are now going. But we are now dealing with a lottery which has invaded every city and town in Canada, in the form of these trading stamps. The object of this legislation is to reach this form of lottery ; and we think we have done it and will stamp it out. If any other evil——

Mr. R. L. BORDEN. In what way does the right hon. gentleman (Sir Wilfrid Laurier) say the principle of lottery is involved ?

Sir WILFRID LAURIER. It induces people to pay money with the prospect of a chance to draw a prize.

Mr. R. L. BORDEN. Perhaps I do not understand the system.

Sir WILFRID LAURIER. Let me repeat the concrete example which was brought before us by the delegation that waited upon us. The gentleman who is directing the system in this country—I will not give his name—has his stamps printed. He sends these stamps to a merchant, saying : You must buy from me ; I will give you a hundred dollars' worth of stamps for $10. If you do not deal with me, your neighbour will. Of course, what one man does, the other man must do. These stamps carry a certain discount on purchases. Well, here is the wife of a wage-earner, who wants to get a certain article and for that purpose collects trading stamps. She goes to a place of business where these stamps are given. There she is induced to buy things that she does not want. It was represented to us that the wife of a certain man, a good mechanic, went to a store and bought three bottles of a proprietary remedy—I think it was Castoria—which she did not need and which she did not remove from the store. But she got three trading stamps to put in her book, and with her collection of trading stamps she got a bracket, a mirror, a rocking chair or something of that kind. That is a lottery—the person pays money for a chance to draw a prize.

Mr. MACPHERSON. I have had a little experience in the trading stamp business, and I think I can speak with some authority on the matter. The idea which seems to prevail in this committee is that we wish to protect the buyer. As a matter of fact the man we should protect, and whom this Bill will protect, is the merchant. In a certain town, let us say, there are certain merchants. The trading stamp man comes along, and goes to one of these merchants, John Jones, and says : If you take my trading stamps, I will give you full control of the system, and the people will come and buy from you because you will give them trading stamps which will mean a premium to them. The merchant's neighbour John Smith does not get a look in on the scheme at all. The result is that people who have been buying from Smith in the past go and buy from Jones. In Vancouver the system became a perfect nuisance. The merchants were buying trading stamps and virtually handing over the profit of their business to this trading stamp vendor. The result was that we had many failures in Vancouver. The system was nothing more or less than a piece of blackmail—that is all the trading stamp business is. Merchants felt obliged to give trading stamps in order to hold their customers, because people purchased only from firms that gave trading stamps. My hon. friend from Toronto (Mr. Kemp) suggested that it was only the poorer classes of people who looked for trading stamps. I have been in business for twenty-two years. I never gave a trading stamp in my life—refused to do it. But others gave trading stamps, and I found my trade leaving me in certain quarters. But among those who went to buy on the trading stamp basis there were just as many rich people as poor. It is the desire of everybody to get as much as he can for his money—and a very laudable desire it is.

We should pass legislation which will wipe out this evil, which is nothing more or less than blackmail.

Mr. LEMIEUX. As a matter of fact the gentlemen who came to protest against this system were the retail merchants themselves. In Montreal the merchants have carried on this agitation for a year or so. It is not so much the consumer upon which pressure is brought by Mr. Wilder to buy these stamps but the merchants. And the merchants protest because what they pay on sales through these trading stamps represents their fair profit in an honest deal.

Mr. BERGERON. Why do they buy them ?

Mr. LEMIEUX. Because each is forced to do so. What do these trading stamp people do in Montreal, for instance ? They will go into a certain district—let us say St. James' or St. Mary's. There they will choose a certain grocer, a certain shoemaker, a certain druggist, and so with other lines of trade, and will agree with these dealers as to the issuing of trading stamps. But the merchant who buys the trading stamps and distributes them among the public loses thereby the honest profit he would have made. I rose mainly to call attention to the fact that the immense deputation that came to Ottawa from Montreal and other cities of the province of Quebec headed by my hon. friend from St. James' division (Mr. Gervais) was composed not so much of the consumers as of the retail merchants who are being exploited by this trading stamp business.

Mr. CROCKET. I would ask the Minister of Justice if he sees anything in this system on which a prosecution could be based for obtaining money or goods under false pretenses, or for conspiracy in restraint of trade, or for violation of any other provision of the criminal code as it is to-day ?

Mr. FITZPATRICK. I have never considered the question sufficiently to be able to give an answer.

Mr. CROCKET. I would ask one further question : Under the provisions of this Bill, will it be legal for the merchant to issue a trading stamp redeemable on his own premises ?

Mr. FITZPATRICK. Yes.

Mr. CROCKET. But it is criminal for them to issue a trading stamp redeemable next door ?

Mr. FITZPATRICK. On his own premises, and provided it has on the face of it the place of issue and the value.

Mr. CROCKET. Then, it appears that all this great concern for the poor innocent consumer simmers down to a scheme to protect merchants, and not the people at all ?

Sir WILFRID LAURIER. Both.

Mr. MACPHERSON.

Mr. COCHRANE. You allow the merchant to issue a trading stamp payable on his own premises, and he can hoodwink the people in that way if he pleases. The whole anxiety is for the man who sells and not for the man who buys.

Mr. FITZPATRICK. I have some amendments to suggest. The first is to meet the point raised by the hon. member for Beauharnois (Mr. Bergeron) :

For sub-paragraph (1) of paragraph (a) substitute :

(i) by any person other than the vendor, or the person from whom he purchased the goods, or the manufacturer of the goods.

For sub-paragraph (2) substitute :

(ii) by the vendor, or the person from whom he purchased the goods, or the manufacturer of the goods.

Insert after paragraph (a) the following paragraph :

(b) An offer printed or marked by the manufacturer upon any wrapper, box, or receptacle in which the goods are sold, of a premium or reward for the return of such wrapper, box or receptacle is not a trading stamp within the meaning of the section.

Add the following clause at the end of the Bill :

2. This Act shall not apply to any trading stamp issued by a manufacturer or vendor before the first day of November, 1905.

Mr. DEMERS. Does this Act as amended cover the case where the stamp is given in connection with work done ? I would cite an instance. The Slater Shoe Company black your boots and give you a coupon which is worth five cents on the purchase of boots from that firm.

Mr. BERGERON. That is very immoral.

Mr. R. L. BORDEN. If you take one of these coupons you will go to the penitentiary.

Mr. DEMERS. There may be other manufacturers in other lines who do this, but I would like to know from the Minister if he has provided for this case ?

Mr. FITZPATRICK. I think it is provided for in the Act.

Amendments (Mr. Fitzpatrick) agreed to.

Mr. GUTHRIE. Before you report the Bill I have a slight amendment to propose, as this is a Bill to amend the Criminal Code. The amendment I propose is to section 523, and is practically the Bill (No. 67) which is before the House, but which has stood on the understanding that another Bill was to be introduced which would include the amendments to the Criminal Code. The section, 523, which I propose to amend deals with intimidation and is as follows :

Every one is guilty of an indictable offence and liable on indictment or on summary conviction before two justices of the peace to a fine——

It has been held by the police magistrate of Toronto on two occasions that he has the

option of saying whether the man shall be tried on indictment before a jury or on summary conviction. I think the plain meaning of the section is that the accused shall have that right, but in order to make that matter plain I propose to insert the words 'at the option of the accused.'

Mr. FOSTER. How will it then read :

Mr. GUTHRIE (reading.)

Every one is giulty of an indictable offence and liable on indictment or on summary conviction before two justices of the peace to a fine at the option of the accused to a fine not exceeding so and so.

Mr. BERGERON. That is very clear, the magistrate should be dismissed.

Mr. GUTHRIE. The conviction still stands, and if it comes up again probably the ruling will stand.

Mr. FITZPATRICK. I think that amendment is already covered by the section, but if there is any doubt about it, as I understand there is, we should make it plain. It is quite apparent to me that the option of trial by jury is not in the hands of the magistrate but of the accused.

Mr. BERGERON. That magistrate ought to be dismissed.

Mr. FITZPATRICK. You cannot do that; he is too good a man.

Amendment (Mr. Guthrie) agreed to.

Bill as amended reported.

SUPPLY—NORTH ATLANTIC TRADING COMPANY CONTRACT.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. E. B. OSLER (West Toronto). Mr. Speaker, yesterday in the course of the discussion of the contract entered into by the government with the North Atlantic Trading Company, I stated that I would move a resolution seconded by Mr. Ames that:

In the opinion of this House it is advisable to give notice of the government's intention to terminate the agreement with the North Atlantic Trading Company, according to the terms of the contract.

I did not intend to say anything at all but simply to move the resolution. However a paper has been put in my hands this morning in which there is an article which throws considerable light upon this company. The North Atlantic Trading Company, as I understand, is simply a combination of agents or individuals and is not a shipping company.

In other words, it is a company without assets. It is in no sense of the word a shipping company. It is a syndicate. The government entered into a contract to pay this syndicate for 10 years £1 a head for every immigrant, man, woman and child, that it brought to Canada. I pointed out yesterday that a man and his wife might bring to Canada from any portion of Europe eight, or ten, or twelve children, or as many children as they could gather. and that the government would be obliged to pay this trading company £1 a head for every one of these immigrants. In the first place, ten years is too long a time to enter into a contract in connection with immigration, because our policy may change long before the expiration of that period. A paper published at Winnipeg, 'The Voice'—that sounds like a pretty thoroughly popular paper—has an editorial and gives a quotation from a correspondent, which probably throws some light upon this move. The paper is dated the 7th July. The editorial states :

Apropos of a subject which is creating both interest and discussion in British newspapers at the present time, the following extracts from a letter written by a well informed English Trades-Unionist to a friend in Canada, may, in some degree, have the effect of ultimately securing more light upon, if not culminating in putting the North Atlantic Trading Company "out of business" in the matter of an apparently "soft snap" in so far as the bonus question is concerned—a subject which certainly requires more explanation than our Canadian people are in possession of.

I shall not read very much of these extracts. The writer is going over the Auditor General' Report, and he wonders why this large sum of money has been paid in years past. Then he goes on to say :

What I cannot understant is why all these advances should be repeated year after year and why there should be advances made to a few continental sharks to strengthen their hands in sending most undesirable people (as a rule) out to Canada, and that, too, at $5 a head, while only $1.50 per head is given for British and Irish emigrants. But the most serious part of the whole subject is that everybody in the business here who takes any interest in the North Atlantic Trading Company seems to know that it does not earn the money it receives either for bonuses or for literature.

This is a point I wish to draw the attention of the House to, because it seems to be a most important and a most serious one :

I saw a correspondence between a continental agent and the head of his firm in Liverpool the other day which indicates that the North Atlantic Trading Company spends very little money in literature and advertising, or with other agents, to get business for it, and it is almost certain that it does not book the passengers itself. The general opinion among steamship people here is that the company gets the names of people who book to Canada from all parts of Europe, puts in the names and claims the bonus, and I, myself, believe that that opinion is well founded. You must see that this might be troublesome business for the Canadian government.

Then it goes on to the political aspect of the affair. Now, if it is the case that a bonus is paid by Canada to a company which is merely a syndicate of shipping agents, it means that these agents simply receive the names of these immigrants who are brought over to Canada through no enterprise of this Transatlantic Trading Company, because they own no boats, and that for every immigrant they get £1 a head. That is a most probable thing under this agreement. It is almost a certainty under that agreement, as I understand it, because the agreement has not yet been submitted to the House. The government have agreed, as far as it has been explained, that they shall pay to this syndicate £1 for every immigrant that the syndicate sends, and, as the syndicate have no ships, and as they merely send them through whatever ship they may name, the natural inference and certainty would be that this syndicate would combine with the steamship companies, that the steamship companies would give the names of their passengers to the syndicate, and that they would divide the £1 per head in whatever proportion they might think best, they getting £1 per head for having done nothing and for having accomplished nothing. The inducement under the contract, as it has been represented to us, is an inducement to send a most undesirable class of immigrants from the continent of Europe with no restriction whatever. There is no restriction as to age. You may bring in a ship load of 1,000 immigrants, among whom you may have 200 children under six months of age, or who may be a year old and, although I do not say this of a certainty, I think that children under a year old are brought free with their parents. If that is the case, we are paying a bonus of £1 a head for those whom the shipping companies carry for nothing. We have no restrictions as to the ages of the immigrants, no limitation whatever, except the limitation that not more than 5,000 may come in one year from a particular section of the continent, and we have no limitation as to the character of the people who come. All they have to say is that they are farmers, and we know how very simple that declaration is, especially when it is made, as it probably will be made, by people who do not understand the language in which the declaration is written. During the next ten years we may bring in hundreds of thousands of immigrants and pay £1 a head for them, although these people are simply going over to the United States. Canada is giving a bonus of £1 per head to bring in this class of people. When I referred to the matter yesterday, I had no idea that a condition such as that set forth in this correspondence and in this editorial existed. I did not realize how far the contract went, and how thoroughly it was open to fraud upon the government of this country. The contract, I say, having ten years to run, is, I think, a most injudicious one to be made, because in ten years the policy of the country may change entirely in so far as immigration is concerned, and especially as regards immigration from the distant parts of Europe which this contract reaches. I do not wish at this stage of the proceedings of the House to take up time in doing more than calling the attention of the House to these conditions, and I feel that it is most desirable that the government should give notice to terminate that contract at the earliest possible period they can—that is four years. I think that a ten years' contract of that kind, even if it were guarded as it is not guarded, is too long a contract to make with a corporation of this kind, and therefore I beg to move, seconded by Mr. Ames :

That in the opinion of this House it is advisable to give notice of the government's intention to terminate the agreement with the North Atlantic Trading Company according to the terms of the contract.

Hon. FRANK OLIVER (Minister of the Interior). I am sure that the House and the country will be pleased to see the active attention that hon. members on the other side are giving to the question of immigration at this time. The people will wonder how it has happened that after a period of seven or eight years of apparent sleep on the question they have at last wakened up to the fact that there is immigration and that it requires attention.

Mr. BENNETT. How about your Galician friends ?

Mr. FIELDING. How about the Ephesians also ?

Mr. BENNETT. The minister used to abuse them pretty freely.

Mr. OLIVER. As a member of this House I have always given a good deal of attention to the subject of immigration and I was always ready to criticise the methods and policy of the government in that respect. It is very strongly within my memory that I have never had the support of members of the opposition in my criticism. One would suppose that the hon. gentleman who has moved this amendment did not know that from year to year for years past we have been voting sums of money specifically for the purpose of paying $5 per head for all immigrants arriving from continental Europe. This has been within the knowledge of the House and the country for years. The people in respect of whom this money was paid may have been desirable or undesirable, but there never has been a word of objection until now towards paying this one pound per head. What difference does it make whether the pound per head is paid to one agency or the other, as long as we are satisfied to accept these immigrants. I believe that when the Conservatives were in power they paid one pound per head just as we have been doing, and this being the

policy of the government for a number of years it is peculiar at this late date that some hon. gentlemen should discover that this is being done. It has been in force for all these years and it is no more objectionable to-day than it was before.

The contract with this Atlantic Trading Company was made six years ago and the reason for it is because the government of Canada is prohibited by the law of Holland, Germany, Austria, Hungary, Prussia, Denmark, Norway and Sweden, from pursuing an active emigration policy in these countries. If we are to carry on any emigration effort in these countries we must do so by means other than direct agents of this government, and so we have to depend upon some outside agencies. If we depended upon the steamship companies, it is just as much to their interest to send passengers to the United States as to Canada so long as they get the passage money. Then, if it is in our interest that there should be an immigration campaign in continental European countries, it seems to me that the contract has some commendable features. We do not pay any more under this contract than the Conservative government paid in respect of these same immigrants.

Mr. INGRAM. Will the minister tell us what the Conservative government paid for these immigrants in 1895 ?

Mr. OLIVER. I am given to understand that they paid the same amount.

Mr. INGRAM. The minister had better think it out; he is not correct.

Mr. OLIVER. I may be mistaken, but I have reason to believe that bonus money was paid by the late Conservative government.

Mr. INGRAM. Away back in the nineteen, but that was stopped by reason of an agitation in this country assisted in by the Liberal party.

Mr. OLIVER. Oh, yes; I notice that there was no agitation from 1896 until the present session of 1905 against this bonus system which prevailed under the Conservative government as well as under this government. My position is that by the arrangement made with this North Atlantic Trading Company the government was sure that there would be an active campaign on behalf of emigration to Canada carried on in these continental countries with which the government itself was prohibited from acting and without any more cost to the government than it was incurring before. I fail to see where the objection to this contract comes in. If there is any objection to the class of people brought here by this agency I could understand it, but without that there has not been presented a fair and reasonable objection to the contract. If gentlemen will move that immigration from certain European countries is not desirable, or if they say that immigration from none of these countries is desirable, we might have reason to carry out their views and abolish the contract. It remains yet to be argued that it is not desirable to take measures to secure immigration from these countries, and so, this contract must be successfully attacked on other grounds than have been made known up to the present.

Hon. GEO. E. FOSTER (North Toronto). There is one point about this which the Minister of the Interior does not take into consideration, and as the Prime Minister was absent when I mentioned it yesterday, I will call it to his attention now. I learned yesterday for the first time that there was a ten years' contract involving a payment for an indefinite number of immigrants brought into this country to the extent of one pound per head; that that contract had been entered into by an official of this government, and that it might cost us anywhere from $20,000 to $50,000 a year I now ask the Prime Minister how it is possible, that an official of the government could, without any authorization from parliament, bind this country by a ten years' contract to pay that large amount of money. If it had been done on the authority of the government it is bad enough, provided there was no appropriation directly for that purpose. If it were a matter of urgency and the government took the responsibility of making the contract until parliament assembled it would have been the duty of the government to lay that contract on the table of the House and to get the authorization of this parliament for it and of its continuance for ten years. That is a serious feature in connection with this thing. The government would have no right to do this, much less an official of the government. It is stated that perhaps it would not have been wise to have laid this contract on the table of the House, but no reason of that kind can have force in authorizing an official of this government, without the sanction of parliament to commit this country to a ten years' contract. The Minister of the Interior does not seem to think that this is at all a serious matter.

You cannot make a steamship contract for one year or for five years unless you get the authorization of parliament and get the vote of money to pay for that contract. Not for a single year do you do it, but every year the steamship subsidies come down, and they have to be explained and to be voted by parliament. In the case of a large contract, the contract itself may have to be approved by parliament. But here is a case where an official of the government bound this country to a ten years' contract. No matter what changes might take place in those ten years, he has pledged this country against any reversal of its policy. Five years afterwards this government might come to the conclusion that it did not want any of this class of immigrants, but there is the contract which binds the government,

through its official, and I suppose the country as well. There is the serious proposition to which I wish to call the attention of the Prime Minister and this House. That is not constitutional; it is not right; it seems to me unheard of. In the case of the Yukon Railway, so called, the contract was made without the authorization of parliament, but just as soon as parliament met, a few days afterwards, that contract was laid on the table of the House. We had to go into a discussion of the ways and means, and, as it turned out, that contract was not authorized by parliament, but was rejected. But here is a contract made by an official for ten years, with nothing laid before parliament, with no authorization by a vote nor by the adoption of the contract itself. With reference to the other part of it, the Minister of the Interior has, it seems to me, very indefinite ground on which to go. In the first place, he is not dealing with a responsible company, like a great steamship company. He is simply dealing with a syndicate made up of a number of shipping agents, who are affiliated it may be with the shipping companies. These agents came to Mr. Preston, I suppose, and said something like this—

Mr. OLIVER. I beg the hon. gentleman's pardon. If he will change the name to Lord Strathcona—

Mr. FOSTER. I am not going to change it to Lord Strathcona. There are two contracts, neither of which we have seen. One, it is said, was entered into by Lord Strathcona. That ended, and this one was entered into. But there are, as was admitted yesterday, great differences in the two contracts. In their conditions they are different. The one with Lord Strathcona—arranged by him, I do not know whether by the authority of the government or not, but I imagine it would be—lapsed, and this other one took its place. So that I am not going to substitute the name of Lord Strathcona for that of Mr. Preston. Anyway, whether it was Lord Strathcona or Mr. Preston, neither of them has any right to enter into a contract binding this country to the payment of money for a series of years unless the government authorizes them to do it, and the government should only authorize them to do it with the consent and authorization of parliament. With whom is the Minister of the Interior dealing? Not with a great steamship or trading company, but with a number of men who individually were shipping agents, and who formed themselves into a syndicate while running this kind of business. He has no thorough ground for regulating the kind of literature they send out. When this department of the government makes up its literature and sends it out, it knows what it is doing. What hand has it over the literature sent out by this syndicate? Does it prepare the literature? Does it revise the literature?

Mr. FOSTER.

Mr. OLIVER. I might point out that under the laws of these countries this government cannot send any literature into them without bringing about international complications.

Mr. FOSTER. Does the Minister of the Interior revise the literature they have issued? Does he know what they have issued? He does not. Does he know how much they have issued?

Mr. OLIVER. Yes. We know what it costs. They have to submit vouchers of the cost.

Mr. FOSTER. But these vouchers are simply what they state are their own payments, and they do not come under any direct supervision, and there can be no statement made as to the kind of literature. The minister admits that we have no efficient supervision over it at all. As to the amount of literature we depend upon the bills they send in, and for which they furnish vouchers as having been paid. We know from instances that have taken place again and again, that no payment of public money is made simply on the authority of a voucher, which tends to show how much the person interested has paid, unless there has been an investigation to show that the goods have been delivered. Where is the evidence in this case to show that the goods have been delivered? They will present a bill to the Minister of the Interior for $10,000 worth of literature. The minister simply says, where is your voucher? They present it and he pays the bill.

Mr. OLIVER. This government does not pay for the literature these people issue. They pay for it themselves. Their contract with us is that they shall issue $15,000 worth of literature each year. They submit vouchers showing that they have issued it, but we do not pay for that literature.

Mr. FOSTER. You pay for it in the fact that you pay a pound a head, and you include the payment for the literature in the pound. We come back to the old question. They are to expend so much in literature; the department knows nothing of the literature; has no supervision over it. The department does not know that the goods have been delivered. It pays the bills, that is all. Who is the inspector who sees that the goods are delivered?

Mr. OLIVER. The goods in this case are the immigrants, and we pay the money on the delivery of the immigrants.

Mr. FOSTER. That is the narrowest point of view to take. What is that literature that is paid for by this government? Two things: it is to bring the one immigrant who reads the literature at first, who is influenced by it and who comes; but there is a greater field for the literature than that.

It is the cumulative effect of it, and you must know that it is distributed, if you pay for it, in order that we may have, not only the present, but the cumulative effect. I asked the Minister of the Interior whether they distributed the literature or not, and he appeared to think that when an immigrant comes out that is a delivery of the goods. But the whole argument for the wide dissemination of the literature is not what it simply brings in during one year, but the cumulative effect of that from year to year. The minister does not know that a single sheet has been distributed. The extract which was read by my hon. friend from Toronto opens up another phase of the case. That is the statement of a man who presumably knows what he is writing about. He says it is just as easy as falling off a log for these men to get from their shipping agencies the names of the people who go to Canada, and then make their claim of £1 per head. All that is necessary is that these people should come from within the geographical bounds covered by this contract. What means has the Minister of the Interior at his disposal to prevent that? The policy is a bad one, irrespective entirely of the zone from which these immigrants come or the class they belong to. Take the £1 per head, there is no condition governing the payment except that they shall be agriculturists. Children in arms are taken just the same as adults, either male or female, and £1 per head is paid upon them. You have no security at all, other than the word of the syndicate, that these people are agriculturists. Is there any test applied to show what kind of agriculturists they are? You have not even any check as to whether an immigrant is an agriculturist or not. You pay the £1 per head, provided the individual is presented and he is shown to have come from that zone and claims to be an agriculturist, or a domestic, or such other class is allowed to come. Then when you get them here, what is the guarantee that they will settle in this country on the farms? We do not want agriculturists to settle in our cities and earn a precarious livelihood by working at day labour. We do not want agriculturists to flood our cities. In every respect this is a most unguarded and most improvident arrangement. Then we have the fact that the government have made a 10-year contract and have never laid it on the table, and we have not got it until this date—the whole procedure is most extraordinary. We ought to have both contracts —the one made by Lord Strathcona or which he was instructed to make, and the one which Mr. Preston made, whether instructed or not. In any event, the government must take the responsibility. We are asked to pay each year upon a secret contract, the policy of which we had nothing to do with. While we all desire immigration of a proper kind and are willing to pay what is necessary, we have not money to burn, or waste, or throw away.

Sir WILFRID LAURIER. It so happened yesterday that I could not be in the House, or I would have taken the trouble this morning to inform myself on the points raised in the discussion. I cannot give my hon. friend all the information I would like at this moment, but I will endeavour to do so at a later date. The remarks of the hon. gentleman deal with two sides of the question—the constitutional and the practical. With regard to the constitutional side, I may say at once that if I had been aware of this debate I would have taken the trouble to inform myself as to the points I have in mind. On more than one occasion the ex-Minister of the Interior (Mr. Sifton) gave the House the particulars of the system of immigration which was being followed on the continent and in the British Islands. I agree with my hon. friend that a contract passed by the government for the payment of money is not, under our constitutional system, binding unless ratified by parliament. The contract should be laid on the table, because it cannot be binding until it is ratified; and it can be binding only from year to year as the appropriation is voted. If a contract is passed for ten years entailing a yearly disbursement of money and is ratified by parliament, it is binding, but it is not binding unless the moneys are appropriated from year to year. I am safe in saying that from year to year the money necessary to pay this company has been voted by parliament with full knowledge of the terms of the contract. Certainly, on more than one occasion, the ex-Minister of the Interior explained that this money was paid to a syndicate in Bremen or Hamburg. If my hon. friend insists upon the contract being placed on the table, of course his request will be complied with.

I now come to the practical side of this contract. It was first introduced by Lord Strathcona and was then continued by Mr. Preston on the terms agreed to by Lord Strathcona. The main question is whether the contract was a provident one or not. According to the statements made in the letter read by the hon. member for Toronto (Mr. Foster) and published in the newspapers, it is open to serious objection, but I would observe to the hon. gentleman that the allegations stated in this letter are not confirmed. It is stated by the hon. member for West Toronto (Mr. Osler) that this letter discloses the possibility that this syndicate is not earning the money paid it, that it is not making any effort to get immigrants from the northern part of Europe, but simply takes the bookings of the companies and sends the names to the government to be paid. If that be the case, it is a fraud on the government. To draw money for every one of these per-

sons would be an absolute fraud upon the country, and, for this reason, if for no other, the contract ought to be put a stop to without further notice. But I do not understand that these facts are stated absolutely and as being beyond controversy. I gather from the statement made by my hon. friend from West Toronto (Mr. Osler) that there is something to be investigated. Of course, a statement such as he has made ought not to pass unnoticed. It is the duty of the Department of the Interior to investigate the matter and see whether the facts are as alleged or not. But as to the effect of the contract, I assume that that contract has been carried out, that the syndicate has lived up to the conditions to which they bound themselves. And, in that case, the contract is one by which, in my opinion, Canada must profit. Under the late government, for some years, we had a policy of so-called assisted immigration. But this policy was found objectionable, and it was done away with during the '80's. If I remember aright another policy was introduced to give some premium to steamship companies according to the number of immigrants they brought in. This, I believe, was the system we found in force when we came into office. For this was substituted the contract made with this company. We have to deal with it on the issue whether it was a good contract or not. For my part, I think it was a good contract, if the conditions are faithfully carried out. The thing we are most concerned in is not to have immigrants, but to have a good class of immigrants. I take issue with the hon. gentleman who said that we have no guarantee that these people will settle in Canada. We can have no absolute guarantee to that effect with regard to any people. There was a time when Canada suffered from the American policy in this matter, so that immigrants who landed at our ports did not settle with us, but went to the United States. I do not think that is the case to-day. I believe that most of the immigrants who come to Canada with the intention of settling here remain here. The question is are they a good class of immigrants, or are they not. For my part I think the best class of immigrants we can have are those from the northern part of Europe—the British Islands, of course, Scandinavia, France, Switzerland, the northern part of Italy and the Danubian provinces. Some objection is taken to the fact that we pay this money not only on adult immigrants but on children. For my part, I do not find fault with that. The immigration that comes in families is the best we can have. The man who comes with his wife and children is a better immigrant than the one who comes alone. Not that I would discourage the immigration of single persons; but the man who comes with his family is the one likely to prove the best immigrant. And the person who comes here in childhood is almost sure to be brought up to be a good Canadian. For these reasons, I do not find fault with the payment of £1 per head not only for adults but for children. The only question then, is whether £1 is too much or not. That is a debateable question. The point is not new, for I speak with absolute knowledge when I say that the question of paying £1 per head has been discussed on this floor more than once, and up to this time no fault has been found with the amount. So, I can only say to the hon. member for West Toronto (Mr. Osler) that, in my opinion, the motion he has made is altogether too drastic. He says at once that the government should give notice to put an end to this contract. Well, I do not think he has given good reason for that action. But since the policy has been challenged, and since the hon. gentleman has made on the authority of the correspondent of a newspaper, proposed the very serious charge that the contract is abused, we must look into the matter and do it without delay.

Mr. OSLER. The Prime Minister (Sir Wilfrid Laurier) is right. I, personally, make no charge. But I say that the way in which the contract is drawn makes it almost a certainty that it will be carried out in this way. And I do not see how the government could find out the facts or check anything of this kind that was wrong. As to the immigration of children, I agree with what the right hon. gentleman says, as to children coming with their parents. But there is nothing in this contract to prevent the sending to this country of waifs and strays from everywhere, and £1 per head is paid on each of them.

Mr. R. L. BORDEN. It seems to me that the great objection to the contract is, as the Prime Minister practically admits, that what has been charged in some western newspaper, can actually be carried out. It is quite open to the syndicate, under this contract to obtain the names of immigrants coming from certain countries in Europe—these contractors are shipping agents and have the best means of learning who are coming—report the names to the government and draw £1 per head for these people. In other words these contractors get £1 per head for simply collecting the names of people who are coming to Canada. The contract is certainly open to that. It is beyond all question that immigrants would come to Canada from these countries in any case, for the eyes of the whole world are turned to Canada. So, when these contractors learn the names of these people, they can sit confortably in their offices and draw a salary for doing nothing except making and reporting a census of these immigrants. The very admission that it is possible under the terms of the coneract, to do this is the very best reason why the government ought to adopt the sugges-

tion of my hon. friend from West Toronto and cancel the contract and make a better one.

An hon. MEMBER. It can only be cancelled after four years.

Mr. R. L. BORDEN. Then the government could at least give notice, and be ready to cancel the contract at the first opportunity that offers. There is no doubt that these gentlemen would be willing enough to continue it after the end of four years, if the government desires to do so for it is a very comfortable contract for them. The Minister of the Interior says that these contractors circulate literature descriptive of Canada in these countries. Well, if the Canadian government is not at liberty, under the law of these different countries, to circulate immigration literature how is it that this syndicate is able to do it? I think it will be found that the efforts of the syndicate in the circulation of this literature are very small. Does the Minister of the Interior, know, that as a matter of fact they do circulate this literature. What is his evidence ?

Mr. OLIVER. I believe there is evidence in the department to that effect. And I may say that there is a vast difference between the activity of a government in securing immigration against the law of a certain country, and a steamship agent doing the same thing.

Mr. R. L. BORDEN. I am not familiar with the laws of these countries. Perhaps the Minister of the Interior is familiar with them. But I venture my opinion that he will not find much difference in these laws in that regard. I think you will find that their laws provide that no person shall seek to induce any citizen of these countries to leave his home permanently and become a resident of a foreign country, and it does not make the slightest difference whether this is done by an official or an employee of this government. How can it make any difference ?

Mr. OLIVER. I am not learned in the law, but I think it will strike my hon. friend that there is a very great difference between one government breaking the law of another country and of that law being broken by citizens of that same country.

Mr. R. L. BORDEN. I am not speaking of that. The hon. gentleman has not caught my point. I say the law of the foreign country will provide, if I understand aright, that no person shall attempt to induce a citizen of that country to permanently leave that country in order to become a resident of another country. The hon. gentleman says, if I understand him, that the syndicate can circulate this literature in these countries although this government cannot do it by its own officers. I will venture to say he will find that the law prohibits as much in one case as in the other.

Mr. OLIVER. In the case of the illegal circulation of literature by a citizen it is a matter to be regulated within the limits of that country by the law of that country, but the circulation of literature in one country by the government of another country is a matter of international law.

Mr. R. L. BORDEN. It is plain that I have not yet made my point clear to the hon. gentleman. I was speaking of the possibility of any literature being circulated, of these men accomplishing their work, and I said I did not think it was likely because the same prohibition which would prevent the government from doing it, would prevent the individuals and they would not be any more enabled to break the law of their country than would the Canadian government. The acts of the government and the Minister of the Interior have exactly the same effect as if they sent their own officials there, because they hire some one to do that which their own officers cannot do.

Mr. OLIVER. That is the point, they do not.

Mr. R. L. BORDEN. They hire these men to do it and pay money for it. I venture to say that if an official went into one of these countries and was arrested for employing these agents and he defended himself on such a distinction he would not succeed very well. He might be protected by another principle of international law, but not the principle now laid down. If he hires some one to do that and pays them money for the accomplishment of their work he renders himself amenable to the law of the foreign country. However, that is neither here nor there. What I am discussing is the probability of these men circulating this literature in these countries. I do not think it is likely because the laws of the country prevent it, and there would be no supervision over this work under this contract. The wise course it seems to me would be to give notice of the cancellation of this contract and to cancel it at the earliest possible moment. If the government could give any assurance to parliament that that is not done which my hon. friend from West Toronto (Mr. Osler) has suggested, if they could give under the terms of the contract, any assurance that there is any safeguard, any supervision, that it is not possible for these men to sit down quietly in their offices, make a census of the people leaving for Canada and make a demand on this country, if they would show that this is not possible or probable under the terms of the contract. I would advise the member for West Toronto (Mr. Osler) to withdraw his motion and let the government consider the matter and perhaps deal with it next session, but if the government cannot give such an assurance surely it is a wise thing for parliament to take action.

The hon. gentleman has spoken of the quality of immigrants. I venture to say once more that so far as the quality of immigration is concerned, we would be well to encourage immigration from the British Isles and the United States. I was told a very striking circumstance yesterday, that is to say that a certain Bible Society in Winnipeg has applications this year for copies of the Bible in 32 different languages and dialects. That indicates the nature of the immigration coming into Canada at the present time. We need not be much perturbed about the quantity of the immigration coming to this country in the next 20 or 25 years; the thing to which we want to give attention is the quality, and as far as possible it is desirable to make that immigration homogeneous, to have it come from the United States of America and the British Isles. I do not deny as I said yesterday that there may be an excellent quality of immigration which will come to us and which is coming to us from other countries, but our efforts should for the most part, perhaps altogether, be directed towards immigration from the British Isles and from the United States of America. Both of these countries can send us exactly the same kind of people as we have here at the present time, people acquainted with British institutions, because whether our citizens of Canada are of French or British descent they are all well acquainted with the institutions under which we have been living for the past 100 years. Those who come from the south are familiar with exactly the same institutions and it is to secure those people that in the main our immigration policy should be directed. It is a matter for regret that an impression has been spread abroad through the British Isles that we desire immigrants from Europe rather than from the British Isles. I do not charge that upon hon. gentlemen on the other side of the House, but I do venture to think that the making of this contract and the very curious discrimination they have exercised in respect of immigration from continental Europe, as distinguished from immigration from the British Isles, is calculated to leave in the minds of the people of Great Britain and Ireland a very unfortunate impression. That also is an additional reason in favour of the motion which the hon. member for West Toronto (Mr. Osler) has proposed. I sincerely trust that the government will at the very earliest possible moment do away with this contract and take the opinion of the House as to the conditions under which contracts of this kind, if they are necessary, should be entered into. The right hon. gentleman has referred to the constitutional aspect. I am bound to say that up to this session I never heard of any contract of this kind. I would not be prepared to say that I have not heard the sum of $5 mentioned as a bonus paid on immigrants from continental Europe, but I cannot recall at this moment that I ever heard it, and I have not the slightest recollection of hearing it. I would not be prepared to say that I have not heard it, because one cannot be expected to recall all the tedious debates of the last 4 or 5 years, but as to any contract extending for 10 years and containing the conditions which this contains, I am absolutely sure I never heard of it until two or three weeks ago. I mentioned to the Minister of Finance yesterday that I thought the contract with the elimination of one or two words at the end might safely be laid on the table of the House. I am still of that opinion and hope the government will see fit to do this at the earliest possible moment.

Hon. W. S. FIELDING (Minister of Finance). My hon. friend, I am glad to know, has been able to give a very good certificate as to the class of immigrants coming in to the Northwest. I refer to the application for the Bible in 32 different languages. If the efforts of this North Atlantic Trading Company have resulted in filling the west with people whose earliest desire is to have the Bible in their own language, I think that is a very good commentary on the character of the people. As to the particular point on which my hon. friend dwelt, as to whether the literature was distributed, I asked the Minister of the Interior to give me a document if he could but it was not at hand. My recollection is that amoung the papers I handed to my hon. friend the leader of the opposition, necessarily in a confidential way, there was a document from one of the continental countries complaining that agents of Canada were distributing literature, and taking exception to it.

Mr. R. L. BORDEN. There was a protest of some kind.

Mr. FIELDING. I asked my hon. colleague to show me the document, but it is not at hand. However, my own recollection of it is that it was a protest against the propaganda which some persons were undertaking on behalf of Canada, and that would indicate that the shipping company, of the syndicate, whatever it may be, have probably been doing the work, but whether they have been doing it as fully as hon. gentlemen desire is a fair question to consider.

Mr. FOSTER. Are there any samples of the literature that they have distributed? Are they obliged under the contract to give samples of their literature?

Mr. FIELDING. I could not answer that question.

Mr. OLIVER. I understand, since the hon. gentleman has asked the question, that they do submit samples of their literature.

Mr. FOSTER. Could the hon. minister bring the samples down?

Mr. OLIVER. I will find out later on.

Mr. FIELDING. The document to which I have referred is on file and it is a protest against the distribution of literature by shipping companies and also against the Canadian government. I would judge from the discussion that the latter part is not correct, that the literature has been distributed entirely by the shipping companies. Now, my hon. friend says that this is not a contract with a reliable and reputable steamship company. Certainly not. Your reliable and reputable steamship company would not undertake such work ; it is not its business. He says that the contract is made with a syndicate of shipping agents. True, and that is just the class of persons who would be able to do this business, people whose business it is as shipping agents to gather in persons from all parts of the continent who may wish to come. My hon. friend the leader of the opposition referred to the misfortune of the impression having gone abroad that Canada was discriminating in favour of continenal immigration and against immigration from Great Britain. It is a misfortune, but it was not due to anything that has been done by my hon. friend the Minister of the Interior or by the government ; it is due to an erroneous statement of the facts cabled over to Europe by some person who had an interest in misrepresenting the policy of this government. It is not due to any act of my hon. friend the Minister of the Interior, but due to false telegrams which have been sent over to Great Britain by some persons who had an interest in misrepresenting the facts of the case.

Mr. SAM. HUGHES. Could the hon. minister read some of these false telegrams ?

Mr. FIELDING. The hon. leader of the opposition did not read them ; why should I ?

Mr. SAM. HUGHES. The hon. minister said there were false telegrams sent over.

Mr. FIELDING. I say that false telegrams have been sent over to create the impression that my hon. friend the leader of the opposition has referred to. It arises out of these erroneous reports of the case which have been sent over. I have no doubt that if I had time I could find them.

Mr. SAM. HUGHES. We would like to see them.

Mr. FIELDING. The hon. gentleman (Mr. Sam. Hughes) knows where to find them. He can find them as easily as I can.

Mr. R. L. BORDEN. Have many false reports been cabled over?

Mr. FIELDING. I understand that the reports cabled over of the discussions which have taken place in this House have failed to convey a correct statement of the situation and that they have created the erroneous impression to which my hon. friend has referred.

Mr. R. L. BORDEN. I have only read the report in one paper, the 'Times,' and I think that is a perfectly truthful summary of the contract.

Mr. FIELDING. Exactly, but if in sending that summary anybody should say that the Canadian government paid £1 per head for a continental immigrant and only a few shillings for a British immigrant, and failed to give the explanation, that would be a false and grossly misleading telegram. What are the facts of the case ? We pay $5, according to the statement of my hon. friend the Minister of the Interior, to the foreign company for every immigrant upon the condition that the foreign company shall pay all the expenses of the administration of the business. They have to pay for the literature, for printing and advertising, whatever it may be, they have to pay for all the services, but for every immigrant we get from the British islands we pay a great deal more than £1 because we pay the expenses of our officers in Great Britain. We pay the expenses of an energetic propaganda in Great Britain and if you make an analysis of the case it will be found that we are paying for the British immigrant fully as much as we are paying for the foreign immigrant and a great deal more. Therefore, the erroneous impression is due to the imperfect reports of the discussions which took place and to the imperfect statement of the policy of the country. I entirely concur with hon. gentlemen opposite in the view that we should give the preference in our efforts to bring in British immigrants. I am heartily in favour of that and yet if we were to adhere too strictly to that I doubt that we would be able to fill up the Northwest as rapidly as we would desire. For many years in the mother country there was a condition of great prosperity, but just now and for the last two years there has been some depression of trade. Up to about two years ago nearly everybody in England who was industrious had ample employment at good rates, and while that condition of prosperity continued it was not reasonable to expect that you could induce British citizens to hurry away from the motherland and come out to Canada. But, of late, unhappily, there has been some depression of trade in the mother country and when that condition arises there is, of course, a greater number of unemployed and there is a greater disposition on the part of Englishmen, Scotchmen and Irishmen to go abroad. Arising out of that condition we are able to get a larger percentage of British im-

migrants than we were able to get in previous years. I still think that we ought to put forth our greatest efforts to bring British immigrants to Canada. We want the Northwest, while filling it up with the industrious of all classes, to bear the stamp of the British people, of the British character, from the beginning. We all agree to that, but while agreeing to that and following that policy closely, we must recognize the fact that if we were to limit ourselves to British immigrants we might have difficultiy in getting even a moderate number to come. My earnest advice to the Department of the Interior would be ,while giving preference to the British immigrant, not to fail to take advantage of every reasonable opportunity of bringing in immigrants from the continent of Europe, if they are wisely selected from those portions of Europe where people can be found who are naturally adapted to make prosperous settlers in Canada.

Mr. OLIVER. Might I just answer a question asked by the hon. member for North Toronto (Mr. Foster) and say that it is some four or five years ago, I am credibly informed, since the Agricultural Committee was fully informed in regard to the then existing contract with the North Atlantic Trading Company by the then commissioner of immigration ?

Mr. WILSON. Who was the commissioner of immigration ?

Mr. OLIVER. Mr. Pedley, and that there was placed before that committee a large quantity of the samples of literature then being circulated by the trading company.

Mr. URIAH WILSON (Lennox.) Mr. Speaker, I have been a pretty constant attendant at the Agricultural Committee and for some years I have taken a good deal of interest in this immigration question, but I have not the faintest recollection of ever having heard of this contract until the latter part of this present session. I just want to say a few words. I regret very much that I have not been in the House to hear the discussion which has taken place. There is one thing I would like the hon. Minister of the Interior (Mr. Oliver) to explain and it is why he not only pays for adults from Great Britian only $1.75 per head while he pays $5 per head for immigrants from the continent, but why he will pay $5 for every man, woman and child from the continent, while he only pays 87½ cents for children from Great Britain and Ireland. The government not only say that one continental immigrant is worth three Englishmen, or three Irishmen, or three Scotchmen, but they say that one continental child is worth six children from the British islands.

I do not think there was any member of that Agriculture Committee who ever understood until this session, that we were paying $5 per head for these immigrants, and we only learned it this year by accident when we happened to question Mr. Scott, the immigration commissioner, as to why he paid so much for getting immigrants from the continent and so little for getting British immigrants. Now, during the last three years there have left Great Britain and Ireland, 737,000 native born British subjects, and of these we have not got one in six. And yet we are making these extraordinary efforts to get people from continental Europe. If I had the documents here that I have in another place, I could show that many of these immigrants are most undesirable, that they have become a burden on the people of the country, and that the inspector of insane asylums reported in Toronto last winter, that 10 per cent of the occupants of the asylum in Brockville were of the immigrant class. I could also show that in Toronto they have been obliged to turn away from the city immigrants who have been in this country less than six months. This is the class of people we are spending so much money to bring to this country. It should be our effort as far as possible to keep up the moral and physical standard of our people. It is true we have large quantities of vacant land which we would like to have settled, but as Dr. Douglas, a Liberal member of this House said some years ago : He did not see why we should be in such a hurry to give our land away to the paupers of Europe. From what I know of the Minister of the Interior, I believe that if he were at liberty to express his personal opinion on this contract it would be very different from the ministerial statement he has made to-day. Over and over again he has told us in this House that he was glad changes would be made in the immigration policy, because any change must be an improvement on the existing conditions of things. Why is it that we are giving large grants to hospitals in Manitoba and the Northwest Territories when we are giving no similar grants to hospitals in Ontario and the other provinces. Is it not because we are bringing into that country a class of people who have to be taken care of at the public expense, and because we think it is unfair to burden the people out there with their maintenance. I regret that on account of a misunderstanding on this side of the House we are not at liberty to discuss in full the particular details of this contract. I fail to see why any government should allow any minister of the Crown to make a contract for ten years and which contains the provision that four years' notice must be given before it can be cancelled. There is one clause in that contract which I think I shall refer to be-

cause I went down to the department, and the minister said I could take whatever notes I thought fit and he went further and stated that if we insisted, as a matter of course, he would lay it on the table of the House. We have not insisted yet, and therefore we cannot discuss it as fully as we like. However, there is one very peculiar clause in that contract under which in giving this $5 a head for Galicians and some others, their number is limited to 5,000. Why is that? If they are undesirable settlers for this country and we are anxious to get them, why do you limit the number to 5,000? I am also told that our immigration agents in the old country are at the same time agents for the steamship companies. That we have known for a long time, but I have learned now that as soon as the immigrant is landed on the vessel these agents are paid $8 a head for every one of them who buys a ticket worth $20. That is a bad principle. I am in full accord with the resolution before the House, which asks that this contract should be at once cancelled because I think we can get all the immigrants we want without paying $5 per head for most of those who come to us from some of the continental European countries.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. URIAH WILSON. Mr. Speaker, when you left the chair at six o'clock we were discussing the class of immigrants who were brought into this country, especially in connection with the contract made with the North Atlantic Trading Company. I want to call the minister's attention to one feature of that contract which I think is the very opposite of what it ought to be. It provides that the company shall furnish the government each month with a statement of the number of immigrants who have arrived from those countries, showing the number from each country. It seems to me that the very opposite should be the case—that it should be the duty of the company to show the government the number of immigrants who have been brought into this country through their instrumentality. Instead of that, this company is to receive a pound a head for every immigrant, man, woman or child, that comes from any of these countries, if he happens to belong to the agricultural class, whereas for every man or woman who comes from England the government pays $1.75 a head, and for every child 87½ cents. That is to say a child from continental Europe is considered worth six times as much as a child from any of the British islands. Another reason given by the government why they pay so much to this company is that the company does the advertising for itself, whereas the government advertises in Great Britain and Ireland and the United States. I find in the Montreal 'Star' of July 4 a despatch from the Allan Company referring to the statement made that this company does all its own advertising, as follows:

> To this statement the reply is made by the Allan and other steamship lines that far larger sums than the North Atlantic Trading Company will spend has for many years past been spent in the British empire emigration propaganda without any special immigration bonus.
>
> Such expenditures are common practice among all European and American steamship and railway concerns, but that in no way can justify the government in the payment of three times as great a bonus on continentals as British settlers.

I think that ought to be satisfactory. We all know that all these companies that are carrying passengers put forth very great efforts to get them. So great are the efforts that I am told by men who know that they are prepared to give to any immigration agent a bonus of $8 a head for every passenger who will pay $20 for a ticket, in addition to whatever bonus they get from the government. Then, we are holding out to these people greater inducements than I believe are held out by any other country at the present time, unless perhaps Australia, which, besides giving land, gives a certain amount towards paying the expenses of the immigrants going to Australia; but our country is so far superior to Australia that the report of our commercial agent in that country shows that, comparing the immigration going into the country with the number leaving it, there is a minority of about three thousand during the past year. Now, I think this is a matter worthy of the consideration of the government, and I am not so anxious to make political capital out of it as I am that we should view it from a national standpoint, so that we shall not be so anxious to get European settlers of such an inferior class that they become a burden on the country when they come here as to offer any inducement, let alone such a large one as we now offer. In the Toronto 'News' of yesterday I find a despatch stating that about 100 Molokans arrived in Winnipeg in a state of destitution. They did not intend to come to Canada, as I understand, but intended to go to the United States, where some of their fellow countrymen are; but they have got as far as Winnipeg and are there now in such a destitute condition that they are becoming very troublesome to the immigration authorities there. It is said by the government that the class of immigrants we are getting is a very desirable class. I dare say some of them are, but I am afraid a very large number are not. In order to prove my statement I shall quote from the reports of some of the associations in this country. I have a report from the Baron de Hirsch Institution and Hebrew Benevolent Society of Montreal, a society which I think

cannot be spoken of too highly. They are not only extending a great deal of charity to their fellow countrymen who come to this country, but they are doing it in a business-like way. Besides helping those who are now located and become active settlers in our country, they make provision to educate the children of those people, and they are spending a very large amount of money. The following is taken from the report of the Baron de Hirsch Institute for 1904 :

The flow of immigrants during the past year has been continuous. In the first six months —2,277, and in the past six months—1,690, appearing before your committee for advice or assistance.

The work of handling this large number ; of obtaining employment for them ; of settling them in our city ; of placing them in other parts of Canada ; or of sending them to join their relatives or friends who have already settled in the United States, has devolved upon your committee, with the assistance of the immigration office, supplied by the Jewish Colonization Association of Paris.

Your board here desires to state that were it not for this philanthropic representation of the Baron DeHirsch fund, it would be impossible for this work to be continued here by us in Montreal.

It must also be remembered that the numbers thus given by no means represent all the Jewish immigrants who come to Canada, although to a large extent the new arivals do come under the auspices of your board. It is estimated that of the total number who have been under our supervision, 2,606 settled in Montreal ; 818 went to other parts of Canada ; 553 to various other places, and 10 returned to Europe making a total of 3,967.

It will be seen from the balance sheet attached, that in dealing with this large number of cases your board has expended for

Local cases	$2,652 83
Foreign cases	4,236 35
Transportation	1,485 90
Burials	471 20
	8,846 28

This is the assistance they have given to the grown persons who came under their notice and applied to them for assistance. Here is what they did with reference to education :

During the last school year 446 boys, and 437 girls, a total of 883, were admitted to the day school.

The monthly average attendance for the year was 579·6 and the number in attendance in the school at the closing of the session was 318 boys and 320 girls, a total of 638.

The children are, by birth :

Roumanian	270
Russian	125
Canadian	102
American	62
English	25
Austrian	24
Other nationalities	30
	638

It does look to me as though, if there are any institutions that have gone about doing business in a business like way, it is this one. In educating these children and making them fit to become good citizens, this institution is doing a work we cannot value too highly.

I wish to read a short report from another society in Montreal—the annual report of the Charity Organization Society of Montreal for the year 1904. From page 11, I take the following :

Nevertheless it is wise for us to see that as long as the inspection of our government is much more slack than that of the United States, of necessity many undesirable immigrants are thrown upon us, and no small numbers of these, we regret to say, come upon our charities for support.

This is a matter which has been up in this House before, namely, the conduct of our government with reference to the immigrants rejected on our shores by the American immigration authorities. Last year the Americans rejected almost 3,000 as being unfit to enter their country. They were left here, and we deported, if I remember right, about 359. It is pretty difficult to tell exactly what number we did deport. The other night, when this matter was up, I had four different statements that I presented to the minister and his deputy and the superintendent of immigration, and they could not reconcile them. But I take it for granted that probably 359 were deported out of all we rejected ourselves and these 3,000 which were rejected by the United States on our shores. This is very serious. It is all important we should be very careful as to the kind of immigrants we allow to land on our shores and become citizens of our country. We have a good country and I think a good class of citizens, and I hope we will be able to keep our good name and the good quality of our people.

In Toronto, a very large meeting was held last winter of all the associations to discuss what should be done with the undesirable class of immigrants who came here and became a burden upon the people. At that meeting all the charitable societies were represented. I take this report of the proceedings from the 'Mail and Empire' of February 1, 1905 :

Associated Charities urge stricter supervision. Meeting largely attended.

Nearly all the Toronto charitable organizations were represented at the meeting, including the Toronto Relief Association, the Frances Willard Home, the Fraternal Societies' Association, the House of Industry, the Jewish Benevolent Society, the Toronto City Mission, the Bible Women's Toronto Mission Union, the St. Vincent de Paul Society, the Women's Christian Temperance Union, and the Church of England Deaconess' Home.

This meeting was presided over by a clergyman who informed the audience what they were called together for. The following resolution was passed unanimously :

Moved by Mr. Goldwin Smith :

That in view of the fact that undesirable immigrants are entering Canada, this meeting most earnestly desires to urge upon the attention of the Dominion government the importance of the strictest examination of all immigrants coming to Canada, and the rejection of all such as would tend to lower the moral and physical well-being of our Dominion ; and that a copy of this resolution be sent to the government, with a statement of the facts which have been brought before this meeting.

This is a matter well worthy the attention of the government. What attention the government gave it I do not know. There were a good many statements made at that meeting, some of which I shall give you.

Twelve shillings to the master of a workhouse in England for every immigrant he would have sent to Canada.

This is a pretty poor place for us to get immigrants.

Reverend Father Minehan, of St. Peter's church, instanced a case where the master of a workhouse in England received twelve shillings for every inmate he succeeded in having sent to Canada. Such immigrants as these usually become habitués of our police courts. There was, he believed, no reason why England should not look after her own indigents and ne'er-do-wells.

Mrs. Cummings, representing the National Council of Women, also protested against the misleading information given in England in regard to high wages in Canada. Girls were promised $20 per month as domestic servants, and were naturally disappointed and dissatisfied to find wages decidedly less when they arrived here.

I do not know who the agents were that made these representations or who the government agent was that went to the workhouse superintendent and induced him to send out inmates from that institution at a bonus of twelve shillings per head. These are matters which should be investigated by the government. I think that the Minister of the Interior (Mr. Oliver) should pay strict attention to this. I remember how very pronounced he was in his views on this question when he was not a minister, and I can give some quotations from speeches he made in this House at that time. At the meeting to which I have referred, the Reverend Canon Welch was also present, and spoke as follows :

Reverend Canon Welch protested against the misrepresentations of the steamship companies' agents in Great Britain, who induced too many clerks and city men to come to Canada, expecting high wages here, and no difficulty at all in getting good positions in stores or factories. That afternoon an English immigrant who had applied to him for aid, had told him of receiving a circular in England promising $40 per month wages on farms in Canada at all seasons of the year.

Now, of course, I cannot tell who sends these circulars out. I suppose the government cannot tell. But I think it would be worth the government's while to make an investigation of these complaints with a view to preventing the making of false representations to the people, thereby bringing them to this country, disappointing them, and leaving them dissatisfied so that they wish to go back to their own country and give us a bad name. Here is another extract I have :

Poor immigrants—A tax on Toronto.

That the city has gone as far as it should go in extending charity to helpless immigrants is the opinion of Dr. Sheard, Medical Health Officer.

During the last three months applications of one kind or another have been made for admission to the city hospitals from immigrants who have been in the country only two or three months. Most of them are Englishmen, and some of them are very ill. Apart from the sick we are also receiving numerous applications daily from individuals who appear to be nothing more than tramps, with a cough or cold or other chest trouble. Five or six presented themselves yesterday, were refused admission, and were referred to the house of industry.

Now, I would ask the minister how these people get into this country—these people, who, after they have been here two or three months, are paupers and so ill that they must seek admission to a hospital. We are supposed to have a rigid inspection of immigrants at the port of landing. But the facts prove that the inspection is not effective, that many immigrants come in who, within a few months become charges on our cities, especially the cities of Montreal and Toronto. If the minister wishes to answer now, I will give him an opportunity to do so.

Mr. OLIVER. I am willing to answer if the hon. member (Mr. Uriah Wilson) wishes me to do so. I can only give him the answer which must suggest itself to his own mind. People coming to a new country and living under new conditions are more liable to illness than are people who are more acclimatized in that country and accustomed to those conditions. Therefore even though none but perfectly healthy immigrants be admitted at our ports, there is greater liability to illness amongst them than amongst those whose home is here. But, besides that, as I said the other night, I am satisfied that a great many of the people who are complained against, especially those in the cities, are not immigrants who have come to our ports or been dealt with by our agencies. They are essentially city people, who will go to cities, no matter what port they come to. And, as many of the people who are coming to our ports go to the United States, we have reason to believe that many of the people who come through United States ports come to our cities.

Mr. URIAH WILSON. These people pass for immigrants, and apparently, have recently arrived. And they tell the officers that they have recently arrived. Of course, I do not accuse the minister of making a misstatement, but I doubt if he himself is in possession of the facts. The examination of immigrants at our own ports is not sufficient. The examination that should be insisted upon is the examination at the port of embarkation. We are told that the steamship companies have no interest in bringing over only people who cannot pass the inspection here, because they do not want to bring people to this country and then take them back. But the steamship companies are so anxious for business that I believe that they are willing to bring them here and take their chances of passing them through when they land on this side. But if these immigrants were inspected before they were allowed to embark, we would save ourselves and them some trouble and it would not be necessary to support these people as paupers when they arrive on our shore. This account from which I have quoted goes on :

Dr. Sheard gave as an instance the case of one applicant who had been in the city five months, and for three months of that time had been in the General Hospital. He says he does not give an order for admission to a consumptive sanitarium unless the applicant has been in the city at least one year. The City Relief Officer fully agreed with what Dr. Sheard had said, adding that a very large number of persons arriving from the old country were both ill and penniless.

Dr. Sheard is an officer of the city of Toronto, and ought to know something about this matter. Another authority is quoted in this article :

Mr. Thomas Southworth, of the Ontario Colonization Immigration Bureau, says that most of the Londoners who come to Toronto are of a very worthless type, and that many of the undesirables are sent out by persons interested in ridding themselves of them. He said it was the opinion of immigration experts that the inspection point will have to be at the place of embarkation and not of debarkation.

Now, this is the statement of the official of the Ontario government whose business it is to investigate these things ; and he shows, I think, very conclusively, that there are a large number of these people who are not desirable immigrants and never will be. Then, we have the statement made by Dr. Bruce Smith, provincial inspector of asylums, who says that 60 patients out of 600 in the Brockville insane asylum have been traced to the immigrant class. I think that is a pretty strong case against the class of immigrants we are getting in this country. It seems to me that it is up to the minister to insist that his officers shall be much more particular in their inspection. I see that my friend, Mr. Preston, the chief immigration agent in the old country also has had something to say recently. By the way, this officer has had his wings clipped. Mr. Preston, used to have full charge of immigration in Great Britain and on the continent of Europe and reported direct to the department here. Now, I understand, he has to be guided by Lord Strathcona and to report to him. I do not know the reason for this change, but whatever it may be, I think the House is entitled to know it. Mr. Preston, it seems, is in favour of buying large tracts of land in Ontario, dividing them up into fifty-acre farms and getting European settlers to take them. He made a speech in London which is reoprted in the Montreal ' Star ' of March 25th in which he said :

The all-British cry is nonsense and must be abandoned. The continental farmers, whether Slav or Germanic, are among the best in the world.

I should favour the purchase of great tracts of land in Ontario. These I would divide into farms of fifty acres each, and would settle a continental family on each farm. In a few years the country would be absolutely free of weeds and in an ideal state of cultivation.

Mr. Preston, so far as I have information, has always been in favour of giving aid to immigrants coming to this country. He advocated at one time the government paying their fares, bringing out people who could not pay their own fares. He has been from time to time in favour of giving one kind of assistance and another. So far as I am concerned and I have always taken the same stand, I am opposed to bonuses of any kind on immigrants. I felt if a man has come to the years of manhood and has not made money enough to pay his way to this country or has not established a character good enough to have a friend advance the money nine times out of ten he will not be a desirable immigrant and consequently I am entirely opposed to any such system as is indicated by Mr. Preston or any other by which we will give a bonus on immigrants coming to this country. I think I am backed in that by the present Minister of the Interior who is reported in ' Hansard ' of 1899, at page 8523, as saying :

Now, it would be a very simple matter to overcome any particular settlement in the Northwest by a foreign population. Every settlement in that country stands in danger from that influx of population, if it is not checked. The whole of the Northwest Territories stands in danger.

Then at page 8524 he said :

It is said that those people settle where other people will not, but in my part of the country they settle where other people have settled, and where other people would settle in larger numbers, were it not for these Galicians. In fact, where these Galicians have settled, some of the others have moved away.

An hon. MEMBER. Why ?

Mr. OLIVER. Because they are not desirable neighbours.

In 1901 he made another speech which is reported at page 2937 of 'Hansard.' He said :

In regard to the Doukhobors, I wish to say, speaking of course without having such an intimate knowledge of them, but speaking on the general principle, that any people who are too good to conform to the laws of this country are too good to live in this country, and we do not want them at any price.

And at page 2939 he said :

There is no question that the people of the west feel more strongly on than this immigration question, and there is nothing that they more earnestly resent than the idea of settling up the country with people who will be a drag on our civilization and progress. We did not go out to that country simply to produce wheat. We went to build up a nation, a civilization, a social system that we could enjoy, be proud of, and transmit to our children. And we resent the idea of having the millstone of this Slav population hung around our necks.

The other night when the Solicitor General was speaking he told us that only 47 per cent of the people in those two new provinces are British and I do not wonder that the new minister, then the hon. member, was very much dissatisfied with the steps being put forth to bring this class of people to this country. I wonder if he, as Minister of the Interior, will continue to make this effort to bring this most undesirable class of people to this country or if he has in the meantime changed his opinions and thinks that these people have become desirable simply because they returned him to parliament by acclamation.

In 1902 the present minister made the following statement, at page 3739 of 'Hansard.'

Our social system, our political system, our religious system are those which we have inherited and under which we are trying to improve ourselves. Then if it is worth while to organize all these systems for the purpose of improving ourselves in this country, it is surely worth while to take means that our efforts shall not be to a certain extent rendered useless by the introduction of an element into our population which will have a contrary effect.

Mr. COCHRANE. Who said that ?

Mr. URIAH WILSON. The present Minister of the Interior. I wonder if this is still his opinion. My own impression is that it is, because I think I know him pretty well, although I do not expect him to get up and express that opinion in the House.

He said further :

If you will fill those prairies with people of different ideas, different aspirations and different views from our own, you are simply placing yourselves under a yoke; you are swerving your country from that destiny which your fathers intended it, and which you fondly hoped you were achieving.

I say that every undesirable settler who enters the Northwest, who is, we will say, inferior to ourselves in his knowledge of government, in his ideas of liberty, is a detriment to this country.

I am sorry to say that as directed to the British Islands, to the mother country, or to the mother countries if you like, it has been a pronounced success. I think I am safe in saying that up to date it has been a dismal failure.

He told me the other night when I was speaking on this question, because I particularly asked him what changes had taken place, and he said that so far as he knew that that same system is going on now that was going on then, and it is as big a failure I presume in his estimation tonight as when he made this statement, and we are looking forward to the time when this hon. gentleman during the recess will alter this system, change the course of things and turn matters into a channel which he favoured at that particular time, because I think it is most desirable we should put forth a good deal greater effort to get more than one in six or seven native-born British citizens who leave their own country to come here instead of going to other parts of the world. I have a good deal of faith that he will make an effort at least to secure a larger percentage of British rather than continental immigrants if his colleagues do not sit on him too heavily. He went on to say :

I am given to understand that a new system is being adopted in regard to immigration from the British Isles. I am not familiar with the details of that system, but I will say that there is no possibility of adopting any system which could be less effective than that which has prevailed during the past years. I am satisfied that any system that is adopted will be an improvement.

These were the sentiments of my hon. friend the minister away back in 1902.

Mr. LANCASTER. There was no autonomy then.

Mr. URIAH WILSON. The hon. minister is all right in reference to immigration. I believe his heart is in that country and that he desires to make that great Northwest what it ought to be. Therefore, I am looking forward in the next two or three years to a decided change in the policy of the Immigration Department and an improvement in the class of immigrants who are allowed into this country. But, I will give you still another quotation. You will find this in 'Hansard' of 1902, page 3741 :

Let me say further that it appears to me to have been a mistake in the past to have spent so much money as we have in paying bonuses to steamship companies for the conveyance of immigrants, and for this reason: we made the steamship companies by this means our immigration agencies, and it did not make any difference to the steamship companies what the character of the immigrant was, who he was, or where he was from, so long as they got the bonus. It seems to me, from my point of view, that this is a most undesirable system, and a most undesirable ex-

expenditure, and I would ask that it be not continued.

At that time we were spending on immigration, $494,841.55. What do you suppose we were spending last year on immigration? —no less than $972,426. My hon. friend has come into the government at the right time, I hope, to put a stop to this. If these were his sentiments when we were spending about half the money we are now spending it is time he came in, it is time he took action and it is time we saw some result, and we certainly will look forward to the next session of the House for quite a reversal in the expenditure and for an improvement in the character of the immigrants who are landed under his direction. I have not got quite through yet. I want to give my hon. friend the full benefit of what he said in so far as I have it because I want to stir up his pure mind by way of remembrance. I am very anxious on this matter and while I regret the very large expenditure of money, I do not regret that half as much as I regret the class of people we are getting. We can replace the money but if we have a degenerated race dragging us down instead of lifting us up we cannot repair the damage. If you will look at page 6562 of 'Hansard' 1903, you will find that the hon. minister said :

Since I have had the privilege of being a member of this House, I have taken the view that indiscriminate immigration was anything but a desirable policy for this country, and that selected immigration was by all means the policy we should follow.

Then at page 6563, he said :

There is no need for depending on the less desirable class of immigration, when we can certainly get the more desirable class. It cannot be any longer a question as between immigration of an undesirable class and no immigration.

We are, therefore, not dependent on picking up settlers wherever we can. We are getting settlers of a most desirable character, and every undesirable settler tends to keep out a desirable one.

Then at page 6565 he said :

Let me inform the House that there are already in the Northwest some very serious social and political questions arising from this indiscriminate immigration, which, if they continue to increase will do this country, in the west and in the east incalculable harm.

And at page 6566, he said:

And we stand at the mercy of these people in their thousands—in their hundreds of thousands, and in their millions, at no distant day.

I think that is a very strong admission that up to two years ago at least we were getting in a very undesirable class of immigration because at that time the hon. Minister of the Interior was pleading that this policy be put a stop to and that we should be more particular in seeing that the immigrants who are allowed to enter into this country are of a class who would make good settlers and a class that we would be prepared to live amongst ourselves. We do not want to get a lot of people into any part of the country that we would be ashamed of, or that we do not want to neighbour with. We are all made of the same clay, but there are the differences of habit, early training and the associations of generations and I think the time has come when we should put an end to this kind of indiscriminate immigration and when a very strong effort should be made to get native born Britishers into this country instead of foreigners who are strangers to our language, to our political and social usages and to our religious system. We want as far as possible to have men of our own race, men who, we believe, will help us to make of this a great nation and fulfil the destinies that providence has in store for us.

Mr. FOSTER. I would like to ask the hon. Minister of the Interior if he can give us, or if he has not them with him, if he could bring them down before we concur in the items, the figures of immigration into this country from the geographical zone which is set off under that contract, the number of immigrants that have been brought in from that zone for the last three years and also if he will give us the figures as to the number of heads upon which the £1 per capita has been paid.

Mr. OLIVER. I have exhausted my rights in regard to this question, but as there have been some pointed statements in regard to the subject of the motion, if I may be permitted, I do not wish to make a speech, but merely to read from the records certain facts in regard to the matter. Speaking for myself, if I may be permitted this opportunity, I will say that everything apparently comes to him who waits and that having been alone in this House for many years in advocating a certain class of immigration it is certainly with pride and pleasure that I find that at last I have the support of the opposition in this House with reference to these views.

Mr. COCHRANE. Will you carry them out now that you have a chance?

Mr. OLIVER. The point I wanted to draw attention to was as to the knowledge of the existence of this arrangement against which this motion is made. I find that before the Agriculture Committee in the year 1900, evidence was taken regarding immigration and the following was given by Mr. Smart in answer to a question by Dr. Sproule :

We have since then made an arrangement with the Transatlantic steamship companies to undertake the work generally. We have hopes that even in Germany they will be able

to do some work which the government cannot do.

By this arrangement we give a bonus to them on settlers coming from certain countries; the conditions being if a man is an agriculturist and possessed of $100 in addition to his transportation.

There is a misprint here, and the word 'Trans' is printed instead of 'North'; otherwise there is a direct statement as to the existence of an agreement with the North Atlantic Trading Company, and the hon. member said he had never heard of such a company before.

Mr. HAGGART. That is a steamship company you mentioned?

Mr. OLIVER. It says the 'Transatlantic Steamship Company,' but every one knows there is no Transatlantic Steamship Company. That is a misprint. There is no doubt that an idea was conveyed to the members of the Agriculture Committee at that time in regard to an agreement between the government and a certain company exactly in line with the agreement against which the motion is being made to-day.

Mr. SPROULE. The distinct impression left on the committee was that this was a steamship company and that, having ships and other facilities at their disposal, it was believed they could more effectually take charge of immigration than could agents.

Mr. OLIVER. That makes no difference to the point at issue. The question was as regards the nature of the agreement as between this government and that company, and the reason for having an agreement of that nature.

Mr. FOSTER. Are the conditions the same in this and in that?

Mr. OLIVER. The conditions are stated in answer to Dr. Sproule:

We have hopes that even in Germany they will be able to do some work which the government cannot do.

At the conclusion of that answer Mr. Wilson spoke, so that he was present then. In regard to the statement of the leader of the opposition that he had never heard of this bonus of $5 per head, I find it stated in the report—this is not, of course any reflection on the memory of the hon. gentleman but it is a reflection on his knowledge of the transactions of the committees of parliament.

Mr. R. L. BORDEN. In the first place, I did not say that.

Mr. OLIVER. I beg my hon. friend's pardon, I understood him to say so. I find the following in the report:

Mr. Wilson. You did not say what the bonus is for Galicians and Doukhobors?
A. $5 per head.

Mr. URIAH WILSON. I understood there was a steamship company of that name, but now it is a trading company and not a steamship company. I would like to ask if they were paying $5 per head at that time on every man, woman and child of the agricultural classes?

Mr. FOSTER. A man with $100.

Mr. OLIVER. Let me deal with this point first, and I will deal with the other later. As to a knowledge of the literature that was distributed by this company, I find in the report of the proceedings of the Agricultural Committee of 1902, page 350, under the heading 'Emigration Propaganda in Great Britain and on the continent':

On the continent, literature has been distributed in the shape of little leaflets in many foreign languages. These are distributed by the hundred thousand throughout the continent. In this statement I have made a summary of the year's work, and in doing so I have as I stated last year dealt generally with the work because as we progress from day to day members of the committee ask for information in detail, and I cannot very well anticipate that but I simply generalize to the committee, and if anything further is required that can be supplied in answer to the questions put by the various members of the committee.

Again, on page 297, in answer to a question by the chairman:

Of course we give a bonus of a pound a head.

Again, on page 298:

Mr. ROBINSON (Elgin). They would be looking for treason, I suppose?
A. Yes, certainly, and these packages would be thrown into the waste paper basket. As far as the German government is concerned it is determined that no one shall undertake any active work in that country to induce Germans to leave there. This is one of the pamphlets and of these 500,000 were sent out last year and fully 450,000 reached their destination.

Mr. BARR. By whom were they sent out?

Mr. OLIVER. They were sent out by the North Atlantic Trading Company. On page 16, in the second edition of the report of the Department of the Interior, 1900, there is a report from Mr. W. T. R. Preston, inspector of agencies in Europe, to the Rt. Hon. Lord Strathcona, High Commissioner.

Mr. FOSTER. Is that a trading company or a steamship company?

Mr. OLIVER. It is a steamship agency company.

Mr. FOSTER. They say it is a steamship company.

Mr. OLIVER. I read the follwing extract from the report of Mr. Preston to the High Commissioner:

That the policy of a general distribution of the continental bonus had failed to meet the expectations that were freely indulged in upon the inauguration of the policy is almost evi-

dent through the comparatively small number of foreign emigrants from Europe during so many years, when the department was apparently putting forth strenuous efforts with the object in view. It is true that during the past three years the number has considerably increased, but they have been very largely from a certain section in relation to which your lordship effected a special agreement, and by which it was confidently expected at the time that favourable results would ensue, it still left the practical results of the bonus policy in operation since 1882 an unknown quantity.

Taking all these phases of the European question into consideration, the conviction was strengthened in my mind that the bonus system, to be effective, should be in a form and under a policy by which self-interest would prompt the utmost unanimity and cordiality among those likely to participate in its receipt, not to say anything about the undesirability of parties receiving Canadian money, who were either personally unfriendly or indifferent to Canadian interests. By the adoption of the policy which I had the honour of recommending to your lordship, I think the influence of the unfriendly and the indifferent will be minimized—they will, at least, not be able to exert an influence under the guise of Canadian agents. The changes suggested were subjects of earnest negotiation and many conferences between your lordship and the Department of the Interior, and the persons with whom the arrangement was finally completed on the continent. One result of the new policy is that at this date advertisements are appearing in nearly one hundred European newspapers regarding the advantages offered by Canada to intending emigrants. In at least eighty per cent of the localities where the newspapers are circulating, no newspaper publication about Canada had previously appeared. This, I am told, is only the beginning of what will be carried out on a larger scale. With the cordial cooperation which I have every reason to believe will continue between London, Ottawa and the syndicate with which the new arrangement has been effected, I am hopeful a policy which finally received the approval of your lordship and the Minister of the Interior will have an important bearing on the diversion of a considerable portion of the restless stream of foreign emigrants, which so far as gone largely to the United States, towards the fertile lands of Manitoba and the Northwest Territories.

Therefore the facts have been before the country officially all these years, and the terms of the contract, as everybody knows, could have been on the table of this House ever since the beginning of this session, on motion to that effect. In answer to an individual request, it was not in my judgment such a document as should be placed upon the table; but on a formal order of the House there would have been no alternative, but that order had to be obtained on the responsibility of some one making a motion. If it is not there, it is not the fault of the government, nor is it due to any desire on the part of the government to withhold any information on the subject.

Mr. T. S. SPROULE (East Grey). Mr. Speaker, I want to say a few words on this question. I remember very distinctly the question being put to the gentlemen who were before us, and I remember the impression that was left on the committee, that the government were then paying $5 a head, but for agriculturists only, and each agriculturist was to have $100 in cash. An immigrant who was an agriculturist to begin with, and who could bring $100 of cash with him, gave evidence of his industry, his economy, his energy and his worth to the country. Therefore the committee regarded it as not an exorbitant figure to pay for that class of immigrants. Is that the class of immigrants who are coming to-day, and for whom $5 a head is being paid? Are young children or infants in arms bringing $100 a head? There is no comparison between the two classes of immigrants. If we could get good agriculturists who could bring $100 a head with them, by paying $5 a head to assist in bringing them here, Canada would be well satisfied, and there would be no complaint whatever. My understanding of the contract at that time was distinctly that it was with a steamship company; and if the report is looked over carefully, I think it will be found that it was said that the competition for immigrants was so great that unless we secured the assistance of the steamship companies, we could not get our share. It was for that reason that Mr. Preston advocated employing the steamship companies to work in our favour. Another feature referred to by the minister was that we were not allowed to distribute immigration literature in those countries, while these companies had their own means of doing it. Reference was made to that in a suceeding year, when we were told how much they distributed and how their success was largely due to their method of carrying on the work. Now, we find that this is simply a booking company. The question is, is this contract a provident one? I am quite sure that no one who gives any attention to the class of immigrants we have been getting in the last few years will say that it is a provident contract. Why do I make that statement? Because a large percentage of them drift into our hospitals and almshouses and become charges on the generosity of the people as soon as they reach Canada. As the hon. member for Lennox (Mr. Uriah Wilson) showed, we allowed to come into Canada 3,000 immigrants who were refused admission to the United States on acount of being diseased, and out of these only sent away a little over 300—one out of every 10. Is it any wonder that our hospitals in Montreal are filled, and our charities are taxed to the utmost, that employment cannot be found for those who are here, and that hundreds of them sometimes exist on the charity of the people? Not at all. The hon. gentleman said he fought this matter for years, but did not

get the help of the opposition. The hon. gentleman must have a bad memory, for he will find, that when he made that speech attacking the immigration system, I supported him and condemned the policy. I said that the question was not how rapidly you could settle up the country or how many people you could get into it, but how to keep those who are there under favourable conditions of civilized life. Several times since I have attacked the system and have drawn attention to the fact that many diseased immigrants were being allowed to come into the country. Trachoma was very prevalent in the country, brought in through these diseased immigrants. It was reported from Montreal, from Toronto, from the eastern townships, and from other parts of the country. I drew attention to these facts, and time after time spoke against the system. The government always declared that they were exercising very stringent supervision over the immigrants who were coming in, that these immigrants were obliged to undergo a careful inspection and examination, but notwithstanding that, they were coming in in large numbers, and were obliged to submit to the treatment as soon as they arrived in the country. Was it true that they were subject to careful inspection?

An hon. MEMBER. Yes.

Mr. SPROULE. Who says yes? It would not be any medical man for he would know better. Now, the great boast is the number of immigrants coming into the country. I remember distinctly that the last year the Conservative government were in power they spent nearly $120,000 on immigration, and they were attacked most viciously because of their extravagant expenditure.

Mr. CAMPBELL. They had no results.

Mr. SPROULE. They had very much better results than we have to-day. Last year we paid within a fraction of $100,000 in bonuses in assisting these people to come here, and in addition nearly $900,000 to pay the other expenses. We are expending this year nearly a million dollars on immigration, and look at the class of immigrants we are bringing in, a large percentage are fit only to go to our poor-houses, asylums or hospitals. Look at the hundred Molokans stranded in Winnipeg to-day. They cannot get any employment and are living on charity. How did they get into the country if our immigration system is so stringent? How did it happen that we had a thousand Russian Jews stranded in Montreal winter before last, who were fed by charity? We were led to believe that only agriculturists, agricultural labourers and domestic servants were to be brought in.

I went up to Toronto a few weeks ago and on the train there were several of these immigrants. I asked them if they belonged to the agricultural class, and they said they did not. They were making for North York where they were told they would get work among the farmers. I asked them if they had ever worked on the farm and they said no, that up to the time they had left London they had never even seen a farm. What were you doing in London, I asked? Oh, any odd chores we could get; we were out of work nearly all the time. Did you ever drive horses, I inquired, or harness horses? No, they knew nothing at all about farm work. Yet these evidently were the good agricultural labourers which this government promised our farmers they were bringing out here; but they were certainly not of the class at all suitable for agricultural work. If they did not get work in Toronto, they would drift on to Winnipeg. What use would these people be out on the prairie? Our immigration policy has been for years a most unwise one. I have carefully followed the reports in the newspapers from year to year concerning the class of immigrants that have come to this country; and as far as I could see, the government have been acting as though it did not matter what kind of people were brought out to our Northwest Territories. They might be Galicians or Doukhobors or Russian Jews or Poles or any other nationality in the world. Evidently all that the government appeared to seek was to have a large number come out entirely regardless of their quality and their suitability for this country. I have always thought it much more important that we should keep our good lands for the settlement of good immigrants. The government would not pay a man from Ontario, Quebec, Nova Scotia or New Brunswick $5 to settle in the Northwest, but it would pay $5 a head to bring people out from northern Europe who know nothing about the conditions of our country. And the agents might pick up twenty or thirty children and add them to the party,—children taken out of the poor-house,—and get paid for them at the rate of $5 a head. Under that contract, that could be done and no one would be the wiser; and then we would hear the usual boasting about the large number of people who are coming into the country. The policy of the government is undoubtedly a bad one, and the sooner it is put a stop to the better. Money has been voted year after year, the greater part of which has been absolutely wasted. The commissioner we have on the other side, notwithstanding all we have been told about his ability, is not the best man for the place. There are many rumours about Mr. W. T. R. Preston which I shall not mention because rumours are not to be depended on, but they are not to his credit. When it was announced to-night that Mr. Preston would in the future do his work through the High Commissioner, I considered that a very wise and proper step to take. From what we know of the man, he is not

one I would like to trust. The contract in question is most improvident and unwise. The syndicate can take the bookings of the people going out from the northern continent of Europe or any other part and get paid the bonus per head on them. I remember in Ontario there were agents paid for taking people to Manitoba. What did they do? They would go around among the families who were known to be going to the west and invite them to join their party, and a commission was paid on these additions to their party. That was brought up in the House and ultimately put a stop to. We have the same thing being done in Europe only on a much larger scale. While some of these people may be desirable, a large percentage from northern Europe and the continent are not desirable settlers at all for Canada to-day.

Mr. H. H. MILLER (South Grey.) In a great deal of what the hon. gentleman has said I quite agree. To import immigrants who are in a poor state of health and likely to become inmates of hospitals, is certainly not a good thing for the country. But I do not think we should object to bring out immigrants simply because they have neither money nor experience. In my own town of Hanover, I have known many instances of Germans brought out by the assistance of their friends——

Mr. SPROULE. No one ever objected to Germans. They are all right.

Mr. MILLER. They landed in this country without money except what enabled them to get to their destination, and that was contributed by their friends. But it was astonishing how quickly they adapted themselves to the ways of the country. They learn our language quickly and it is wonderful how soon a German immigrant without a cent in his pocket, will suit himself to his surroundings. He will work in a factory, or at any other work obtainable and in an incredibly short time will be the owner of his own home and be found cultivating his own little vegetable garden. The Germans are among the best farmers we have and they are among our most enterprising manufacturers. We have towns in Waterloo county and in my own county of Grey almost made up of German people. Nearly all of our large furniture manufacturing concerns in Canada are owned by German Canadians. Again I would point out that there is in this country a great dearth of farm labourers. The scarcity is bound to become more hardly felt as a great many people will be required on the railway work about to be begun in the Northwest. Within the last few weeks I was visiting a friend in the county of Leeds, near the town of Brockville. He is a farmer well able and willing to pay for properly skilled farm help. A few weeks ago he had in his employ for some weeks a man who had recently escaped from the lunatic asylum in Brockville—certainly not a desirable person to have working about one's place. But he took this man because it was utterly impossible to obtain any other help. That hand having gone away, he engaged a man who had recently deserted his ship in the port of Montreal—a sailor who knew nothing about farming; but my friend took him and was glad to get him because he could get no other help. It seems to me that if we bring into this country from the British Isles or Germany or perhaps some other parts of Europe as well, men who are in good health and have good characters and are willing to adapt themselves to the ways of the country and learn how to do the work, we will not be doing a bad thing for the country and particularly for our farmers who are hardly in need of agricultural labourers. I quite agree that there are perhaps some countries in Europe from which it is not desirable to bring immigration.

But I do think that the more German people you can bring into this country the better it will be for us. As to the Doukhobors and Galicians I know that many people in Canada are prejudiced against these classes. But I have talked to Rev. Dr. MacDougall of the Northwest, who has had, perhaps, as great an acquaintance with these people as most Canadians, and he spoke very favourably of both Doukhobors and Galicians as men who would make good Canadian citizens.

Mr. W. ROCHE (Halifax). Jibes have been thrown across the floor of the House at the names, and because of the admission into Canada of Buckovinians and Galicians. My hon. friend from East Grey (Mr. Sproule) this evening has made allusion to the number of immigrants coming from certain portions of Europe and to their undesirable qualities. Also he made a few observations about the laxity of the inspection by Canadian government officials. I do not know the character of the inspection made in the port of Montreal. These immigrants from these countries generally come by the port of Montreal or the port of Halifax. Now, I do know of the extreme rigour of the inspection made at the port of Halifax, and I also do know of the condition of the people who arrive on the steamers of the Hamburg-American line at that port. I shall not make any observations of my own; but I took the opportunity of writing to the company to know about the condition of these people who arrive and also of the precautions taken to have them delivered in this country in the very best condition, and to reject those who were subject to disease. Here are the letters I received:

Hamburg, January 7, 1904.

William Roche, Esq.,
Roche's Wharf, Halifax, Nova Scotia.

Dear Sir,—We duly received your favour of the 23rd ultimo, contents of which had our careful attention.

As regards the medical examination of immigrants over our line, we beg to state that we feel convinced there is no line in any country that could be more careful and more scrupulous in this respect than we are. Our passengers undergo such examination firstly in our controlling stations on the German frontier, then again at Ruhleben (a place near Berlin, where we have also erected a controlling station), and for the third time at Hamburg, shortly before the ship's departure. All doctors concerned in the examination of our passengers at these different places, have our strictest orders to detain every passenger who is not absolutely sound or does not comply with the requirements of the American and Canadian immigration laws. If passengers of ours, nevertheless, arrive on the other side with some disease, there is no other explanation for such an occurrence than that some have contracted the disease during the voyage on board the ship.

We can assure you that on our part, and on the part of all our employees, all possible endeavours are made to avoid such occurrences as are mentioned by you. Nevertheless we would always appreciate it, if you would never fail to report to us the result of the medical examination at yours. As general remarks like those contained in your favour of the 23rd ultimo do not give us any material for further investigations into the matter, we would ask you, however, to let us know in all similar cases full particulars of passengers' names, kind of disease, &c., that we may be in a position to go fully into the matter, and to enable us to find out whether, and if so, by whose fault, anything has been neglected here.

We remain, dear sir,
Yours truly,

HAMBURG-AMERICAN LINE,
Abtheilung Personenverkehr.
(Sgd.) AD. STORM.

Hamburg, April 6, 1904.

William Roche, Esq.,
Halifax, Nova Scotia.

Dear Sir,—We duly received your favour of the 21st ultimo, and are greatly surprised at the exceedingly high number of passengers of the SS. 'Barcelona' detained at yours on account of trachoma. We altogether fail to understand this event, as, in fact, we do all in our power to exclude passengers suffering from said disease from transportation. For this purpose, all foreign immigrants have to undergo a most careful medical examination at the German frontier, and then again in Hamburg every one of our passengers is examined before embarking. The physicians have strict orders especially to have a watchful eye upon trachoma, and you may be assured that no one whose eyes are found to be not in order, obtains transportation. Consequently, we consider it to be entirely out of question that as many as fifty-eight passengers of one single steamer should have had trachoma, and we would ask you to try your very best with the authorities that in future we shall be protected against similar measures on the part of the medical inspector.

Kindly let us know the result of your endeavours, and oblige, dear sir,

Yours truly,

HAMBURG-AMERICAN LINE,
Abtheilung Personenverkehr.
(Sgd.) AD. STORM.

That shows that there is no laxity on the part of the inspectors at the port of Halifax.

Mr. S. BARKER (Hamilton). I intend to speak for only a few minutes, but it is necessary that I should reply to the Minister of the Interior (Mr. Oliver), who has endeavoured to convince this House that the opposition were notified some years ago of the contents of the agreement which has been referred to, as the purport of that agreement appeared in the committee's report; and he took the leader of the opposition (Mr. R. L. Borden) to task because he was ignorant of what was in that report. I propose to read a few extracts, and the hon. gentleman will be seen to have certainly misrepresented the contract in his speech, if he was referring to the same contract. I would ask the hon. gentleman (Mr. Oliver) if there is more than one contract?

Mr. OLIVER. There is that with the North Atlantic Trading Company.

Mr. BARKER. Is there another?

Mr. OLIVER. I have no doubt there may be others.

Mr. BARKER. The hon. gentleman (Mr. Oliver) was taking the leader of the opposition to task for not knowing the contents of this report. Does he not know what contracts there are?

Mr. OLIVER. I do not know what information the hon. gentleman (Mr. Barker) wants. There are certainly other contracts on earth; there are other contracts between the department and other people than the North Atlantic Trading Company. But there is no other contract of the department in regard to immigration from the countries mentioned other than that with the North Atlantic Trading Company.

Mr. BARKER. I will read a few extracts. Mr. Smart, who was then deputy minister, was being examined in 1900.

Mr. FOSTER. That is the same year.

Mr. BARKER. He was examined by the hon. member for East Grey (Mr. Sproule) and he gave this reply:

The only restriction, therefore, that the department has placed on the individual settler (European) is that he be possessed of not less than $100 in cash, besides his transportation to Canada and, that he has followed agriculture as an occupation in the past. That is the arrangement under which we pay bonuses now in Europe.

Is there a word of that kind in the contract? Yet, the hon. minister (Mr. Oliver) said that the leader of the opposition and hon. gentlemen on this side ought to have known what was in the contract.

Mr. OLIVER. I beg the hon. gentleman's (Mr. Barker's) pardon; I did not say any such thing.

Mr. BARKER. The hon. gentleman (Mr. Oliver) certainly conveyed that impression to the House. Examining Mr. Smart, the hon. member for East Grey (Mr. Sproule) asked:

Q. That would not apply to Doukhobors or Galicians ?
A. This is a new arrangement only recently made.

Evidently referring to this contract.

We had done away with the agent bonus system, that is giving bonuses to steamship agents. We found that they practically did little or no work ; that if a man wanted to come to Canada they sold the ticket to him, but they put forward no effort to induce him to come. We have since made an arrangement——

Now, will the hon. minister listen to this:

—with the Transcontinental Steamship Company who undertake the work generally. We have hopes that even in Germany they will be able to do some work which the government cannot do. By this arrangement we give a bonus to them on settlers coming from certain countries, the conditions being that a man is an agriculturist and possessed of $100 in addition to his transportation.

That was a misrepresentation of the contract, not the representation of the contract. I shall give the hon. gentleman a word or two more. This is by Dr. Sproule again ; he seems to be after the department pretty sharply. Referring to some letters, the question was :

I think these are the Doukhobors the letters refer to.

And the answer of Mr. Smart was :

Well, they——

That is the Doukhobors.

Well, they are in colonies of probably 2,000 each. Of course we have given strict instructions in regard to the matter and the arrangement with the steamship corporation.

This syndicate of agents is a steamship corporation, according to the department.

That they are not to encourage in any way the immigration of any but the class we have named and so far as we know they are adhering to that.

It did not end with that. Mr. Pedley was called by the committee, and was examined by Dr. Sproule as follows :

Mr. SPROULE. The steamship companies——

—following up the lines that Mr. Smart had brought forward—

—are they not paid?

And here is the answer of Mr. Pedley on behalf of the department :

Their agents of course are paid the bonus. We do not pay it to our agents, we do not pay it to the immigration agents but to the steamship companies.

Is that not emphatic and clear ?

That information obtained at the point of starting is supplemented by information obtained at the point of destination. These immigrants arriving in Manitoba and the Northwest Territories are subjected to an examination by our officials there. They are followed, they are kept track of, until, in the opinion of the department, the bonus is earned.

Now, if the hon. gentleman intended to convey to this House the idea that under that examination there was the slightest information given of the contents of the agreement we have been referring to, I do not understand the English language. There is hardly a term of the agreement which is not the very opposite of what is stated in that examination.

Mr. FOSTER. I wish to ask the minister whether he will take steps before the prorogation of this session to have that contract, which has been entered into for ten years, laid before parliament and get its approval of the same ? The Prime Minister has stated it is not legal in its present shape. I suppose it is the intention to have it legalized ?

Mr. SPEAKER. The question is as follows——

Mr. FOSTER. I think we will have to have an answer.

Sir WILFRID LAURIER. I told my hon. friend the contract was legal, but not binding until it was ratified by parliament from year to year by the money being voted. I can see no objection to having a contract brought down at the present moment.

Mr. FOSTER. If the minister will bring down the one that preceded this, we will have the two for comparison.

House divided on amendment (Mr. Osler):

YEAS :

Messieurs

Alcorn,	Herron,
Ames,	Ingram,
Armstrong,	Jackson (Elgin),
Avery,	Kemp,
Barker,	Lake,
Barr,	Lancaster,
Bennett,	MacLaren,
Bergeron,	Maclean (York, S.),
Blain,	McLean (Queen's, P.E.I.),
Bland,	Martin (Queen's, P.E.I.),
Borden (Carleton),	Morin,
Boyce,	Osler,
Broder,	Schaffner,
Chisholm,	Sproule,
Christie,	Staples,
Clare,	Walsh,
Cochrane,	Wilson (Lennox & Add'n),
Crocket,	Wright (Muskoka)—40.
Elson,	
Foster,	
Gunn,	
Haggart,	

NAYS :

Messieurs

Adamson,	Laurier (Sir Wilfrid),
Beauparlant,	Laurier (L'Assomption),
Béland,	Lavergne (Montmagny),
Bourbonnais,	LeBlanc,
Brodeur,	Loggie,
Bruneau,	Maclean (Lunenburg),
Bureau,	Macpherson,
Caldwell,	McIsaac,
Campbell,	McKenzie (Bruce),
Carney,	McKenzie (Cape Breton, N.),
Cash,	Marcile (Bagot),
Clarke,	Marcil (Bonaventure),
Conmee,	Miller,
Copp,	Oliver,
Crawford,	Paterson,
Cyr,	Parent,
Delisle,	Pickup,
Demers,	Préfontaine,
Derbyshire,	Proulx,
Desjardins,	Ratz,
Dyment,	Reid (Restigouche),
Emmerson,	Riley,
Fielding,	Rivet,
Finlayson,	Roche (Halifax),
Fitzpatrick,	Ross (Yale-Cariboo),
Fortier,	Schell (Oxford),
Galliher,	Sinclair,
Geoffrion,	Smith (Oxford),
Gervais,	Stewart,
Gladu,	Talbot (Strathcona),
Grant,	Telford,
Greenway,	Turgeon,
Hall,	Turriff,
Hughes (King's, P.E.I.),	Watson,
Jackson (Selkirk),	Wilson (Russell),
Johnston,	Wright (Renfrew),
Kennedy,	Zimmerman.—76.
Lachance,	
Lapointe,	

PAIRS :

Government.	Opposition.
Carvell,	Daniel,
Calvert,	Taylor,
German,	Macdonell,
Gordon,	Clements,
Harty,	Reid,
Hyman,	Pringle,
Lemieux,	Tisdale,
Mulock (Sir William),	White,
McCarthy (Simcoe),	Northrup,
Logan,	Lefurgey,
Costigan,	Stockton,
McCool,	Perley,
Tobin,	Léonard,
Martin (Wellington),	Roche (Marquette).
Dugas,	Paquet,
Meigs,	Wilmot,
Fisher,	Worthington,
Hunt,	Henderson,
Belcourt,	Bristol,
Bickerdike,	Cockshutt,
Black,	Forget,
Borden (Sir Frederick),	Brabazon,
Burrows,	Ward,
Lamont,	Lalor,
Laurence,	Fowler,
Macdonald,	Ganong,
Parmalee,	Lennox,
Scott,	Léonard,
Sifton.	Porter.

Amendment (Mr. Osler) negatived, and House went into Committee of Supply.

Railways and canals—chargeable to capital—Intercolonial Railway—Rolling stock, $850,000.

Mr. BENNETT. Would the hon. minister allow that item to stand a little while and go on with the others ?

Hon. H. R. EMMERSON (Minister of Railways and Canals). Yes.

Item allowed to stand.

Increased accommodation and facilities along line, $80,000.

Mr. BENNETT. Explain.

Mr. EMMERSON. This is for improvements at different points estimated to cost $83,000. But, we are asking for $80,000 which it is thought will complete the requirements.

To put railway between Indiantown and Blackville into condition for operation, $25,000.

Mr. BENNETT. How long is this railway ?

Mr. EMMERSON. This is the Indiantown branch. It runs from Derby Junction up to past Millertown and across the river to Blackville. It was built by a former administration and a portion of the line was not worked consisting of some trestle work and a bridge. This is to connect Millertown with Blackville on the Canada Eastern section of the Intercolonial Railway. Now that the government has acquired the Canada Eastern section this money is required to repair this section which has not been used.

Mr. AMES. Will that complete it ?

Mr. EMMERSON. The total will amount to about $79,000.

Mr. AMES. You do not intend to get the line into operation this year ?

Mr. EMMERSON. No, we cannot expend more than $25,000 this year.

Prince Edward Island Railway—Branch line Cardigan to Montague bridge, $95,000.

Mr. EMMERSON. This work is under contract. There were $75,000 in the main estimates and this is supposed to complete.

Mr. A. MARTIN. What is the length of the road?

Mr. EMMERSON. Six and a half miles.

Mr. A. MARTIN. How much per mile will it cost ?

Mr. EMMERSON. About $21,000 a mile.

Mr. A. MARTIN. It is $28,000 or nearly $30,000 a mile. What was the cost of the branch from Charlottetown to Murray harbour?

Mr. EMMERSON. I do not remember that, but the total cost of this work as set

out in detail is $195,123. The work was let by contract on schedule prices.

Mr. A. MARTIN. Does not the minister think that that is an enormous cost for a narrow gauge road? Does the minister know that in 1873 when there were no steam shovels and no such improvements in construction machinery as we have to-day; when rails cost $50 or $60 a ton instead of the $20 a ton they will cost on this road if the Intercolonial Railway rails are used; does the minister know that thirty years ago the original cost of the main line of the Prince Edward Island Railway was only $16,500 per mile as compared with nearly $30,000 per mile for this railroad to-day. It is exactly the same thing with the Belfast branch. This is all very astonishing and it requires explanation. I have here the estimate made by the Railway Department for the Belfast branch when it was proposed to be built——

Mr. EMMERSON. Does the hon. gentleman say that the cost of the Murray Harbour branch is $30,000 a mile?

Mr. A. MARTIN. It is $28,000 or $30,000 a mile.

Mr. EMMERSON. You are including the Hillsborough bridge?

Mr. A. MARTIN. No. If I included that it would be $50,000.

Mr. EMMERSON. The deputy minister tells me the cost is about $21,000 per mile.

Mr. A. MARTIN. I have here the report made by the Department of Railways in 1899, when the surveys for this road were completed and the first mile is only estimated to cost $6,500 with rolling stock and everything added, and the average cost per mile is estimated at $10,445. When you place that against an actual cost of $28,000 it is very strange, especially when the main line only cost $16,500 per mile thirty years ago. Now, all this huge expense is charged against the province and this road should not cost more than two-thirds of what it has cost. I have nothing to say at all against the building of the road, am strongly in favour of it, but the people of the province think it strange that all these large sums voted for this road should be charged against them.

Mr. EMMERSON. As to the Montague branch of which my hon. friend is speaking, I need only say that the estimate was made by the departmental engineer as to the cost, and tenders were invited publicly and the lowest tender was accepted. The figures correspond with the estimates made by the department as to the cost of the road. The hon. gentleman says that this is in strange contrast to the cost of the Prince Edward Island Railway when originally built. I am sure that the character of the road we are now building is entirely different from that of the original road. The cost of $16,500 a mile did not apply to the whole road.

Mr. A. MARTIN. That was the cost of the road fully equipped, as it was handed over to the Dominion.

Mr. J. J. HUGHES. I may say that this short piece of road crosses two deep gullies, one at the head of Brudenell, near Howatt's Hills, and the other near Montague; and in consequence of the two bridges thus made necessary, together with deep cuttings and high embankments, I presume that this short piece of road will cost very much more per mile than a longer road would.

Mr. OSLER. What is the necessity of building the road?

Mr. J. J. HUGHES. The commercial necessity. It has been asked for for years, and hon. gentlemen opposite said that the present government were slow in building it.

Mr. OSLER. I am not opposing the building of the road, but when the Intercolonial system is admitted by the Minister of Railways to be an absolute failure, there should be very strong reasons given before further expenditure on capital account are incurred.

Mr. J. J. HUGHES. There are strong reasons, and what I have stated are the reasons why it is costing so much per mile—more than the Murray Harbour railway cost.

Mr. A. MARTIN. I do not think my hon. friend from Toronto (Mr. Osler) objects to the extension of the canal system in Ontario, because the canals do not pay; neither does the argument hold good in this case. I do not blame the government for the expenditure on this short line so much as I do for the cost of the line built two years ago. I agree with what my hon. friend from Queen's (Mr. J. J. Hughes) has said in regard to the costliness of this line; but that does not prove that the line built to Murray Harbour should have cost over $28,000 per mile. Everybody will be struck with the high cost, because the estimated cost of the Grand Trunk Pacific through the mountainous region of New Brunswick, a road which is to have easy grades, is $28,000 a mile, while this is a narrow gauge road, and not to be compared with the Grand Trunk Pacific. It appears to me that there is something wrong about it somewhere.

Mr. EMMERSON. I am strongly convinced of the necessity of this road, though the character of the country through which it runs is such that the work is expensive.

The estimate made was not excessive; the quantities were arrived at and the work of excavation was figured out at schedule prices. Then, public tenders were asked, and there was no one who would undertake to build the road at a less figure than the successful tenderers, whose figure, I may say, corresponds with the estimate made in the department. I am not going into a discussion of the cost of the Prince Edward Island Railway. The work was done years ago, and I am not familiar with it; but in a general way I know that in character it in no sense compares either with the road that was built to Murray Harbour or with this present line. It may be that this road is of a higher class than the circumstances of the case demand; but I am of course in the hands of the officials of the department. I asked them to make a survey and estimate of a road that would meet the requirements of the case. They did so, and this is the result. Another thing to be remembered is that on the Prince Edward Island Railway a forty pound rail was used, whereas we are using a fifty-six pound rail. Then, the bridging on this short line will cost considerable, enhancing materially the average cost per mile. The excavation is to be done at the ordinary prices that obtain to-day under like circumstances and after public competition. There is no extravagance, so far as I have read the specifications or have any knowledge respecting the road.

Mr. A. MARTIN. I may say that I quite agree with the hon. minister about the necessity for this road. What does he intend to do with regard to the New London branch and some other short branches?

Mr. EMMERSON. We had a survey made, and the conditions did not permit of our proceeding with these at once. There are some reasons why some of these branch lines should be built, but having this particular work on hand, which is costing so much, and having also the Vernon River branch under construction, I could not recommend to my colleagues the carrying out of the other schemes at present.

Mr. A. MARTIN. There is great necessity for the New London branch. It is on the north side of the province, which is sadly in lack of railway communication and harbours. We have a very thickly settled population. There are 55 to the square mile in Prince Edward Island, whereas the average in the whole Dominion is about 1.5 per square mile. The produce of our province must be shipped early in the season and our people require access to the markets as quickly as possible. The late government proposed to expend $300,000 per year until the whole of these branches would be completed. There is the branch from Royalty Junction to Rustico, a large Acadian section, without any good harbours or railway communication. This branch should be proceeded with without delay. On the south side of the province you will find there is urgent need for a line from North Wiltshire to Victoria.

Increased cost of accommodation at Georgetown, $6,500.

Mr. J. J. HUGHES. Some three or four months ago when the item for the Murray Harbour branch railway was under consideration, the junior member for Queen's (Mr. McLean) and the hon. member for Prince (Mr. Lefurgey) made some statements, which, I think, greatly misled the House and created a very wrong impression on several members of the committee, including the hon. member for North Toronto (Mr. Foster) and the senior member for Hamilton (Mr. Barker). These statements were made with the intention of showing that the cost of the Murray Harbour Railway was excessive and that there was something very wrong about it. In order to create that impression, the cost of that piece of railway was greatly exaggerated. They compared it with the old line built on the island some thirty odd years ago. That old line, they said, cost $8,000 per mile whereas the Murray branch cost upwards of $30,000 per mile according to their statement. These figures were exceedingly inaccurate, as I shall prove to the committee. And as these statements have been circulated throughout the country, as they have appeared in the maritime newspapers, I consider it my duty to set the matter right, and I consider it due to those gentlemen themselves, who made these mis-statements, whether intentionally or not, that the matter should be put in its true light. Let me first take the cost of the Murray Harbour Railway. The following are the items:

Land and damages	$	96,423
Clearing, &c.		6,586
Grading		303,135
Public and private road crossings, fencing		52,573
Culverts, bridging and riprap		154,431
Rails and fastenings		153,097
Tracklaying and ballasting		57,680
Station buildings, turntables, &c.		83,102
Telegraph line		4,464
Engineering and inspection, &c.		60,750
Legal expenses		20,674
	$	992,916
Extension of line towards wharf		38,479
Total	$	1,031,395

Or $20,920.79 per mile.

Mr. A. MARTIN. The Minister of Railways acknowledged it was very much higher than that.

Mr. J. J. HUGHES. That is the actual cost of the work, for it has been finished, and was taken off the contractor's hands last November.

Mr. A. MARTIN. The Minister of Railways (Mr. Emmerson) has stated that there are a number of wooden bridges on that line that must be replaced with steel bridges.

Mr. J. J. HUGHES. But I give the total cost of the road as it has been taken over from the contractor. And in this total of cost land damages are included, which amount to about $2,000 a mile. When we compare this with the old road we must allow for that, because in the cost of the old road land damages are not included. The hon. senior member for Queen's (Mr. Martin) was much fairer than the other members to whom I have referred. He stated that the cost of the old road was about $16,000 a mile. That is about correct. The contract price for the road was $14,840. But afterwards some extras were added, which increased the cost. A report made by Mr. F. Shanly, which was brought down in 1875, shows, in round figures, a cost of $17,000 a mile. So the cost of the new road to Murray Harbour was less than one-quarter more than the old road. Is there any reason why it should cost one-quarter more ? It appears to me there are good reasons. It is a very much better road in every respect than the old road. For instance, it is about one-third wider. On the new road the width of the embankments is 16 feet and of the cuts 20 feet, while on the old road the width of the embankments is 12 feet and of the cuts 14 feet. This increased width of itself would add more than one-third to the cost of the road. Then the character of the road is much better, being up to the standard of the Intercolonial. The masonry of the culverts is better. The ballasting is very much better. The stations are better. Besides all this, the Murray Harbour branch has been built through a much rougher and more hilly country than the old road was, necessarily adding greatly to the cost. Now, as to the old road, it was never suggested that it cost too much, or that there was anything wrong in connection with it. And when we compare the two we find that this new road has cost less, taking the character of it into account. Therefore, the statements that have been freely made that the cost was excessive and that there must have been something wrong about it, are altogether foundationless. I think it is the duty of the gentlemen who made these statements to make an explanation to the committee.

Mr. A. MARTIN. On January 23rd last certain questions were put to the minister on this subject. In the first place, it was asked :

What was the total expenditure in connection with the Murray Harbour branch of the Prince Edward Island Railway up to 1st January, 1905 ?

And the answer of the Minister of Railways and Canals (Mr. Emmerson) was :

Mr. J. J. HUGHES.

Total expenditure in connection with Murray Harbour Branch Railway to January 1, 1905, is $1,018,711.93.

The minister was further asked how much more had to be expended on the work, and he stated that the following work remained to be done : station terminal facilities had to be completed ; water tanks had to be erected and rolling stock provided. The cost of these works was estimated at $561,-253.93. Further, he said, there were three temporary wooden bridges which had to be replaced with iron or steel, probably during the current year, and the estimated cost of this was about $8,000. Now, add these three items together and you have a total of $1,-587,964. If we divide this by fifty miles, I do not think it will give a total of $20,000 a mile, but a total of a good deal more over $30,000 a mile. The hon. gentleman (Mr. J. J. Hughes) is an adept at figures, but I will give him time to revise his artthmetic in this case.

Mr. J. J. HUGHES. I do not need any time for that ; my calculations do not need revising. I am comparing the cost of the new road with that of the old road. We ought not to charge to the new road the cost of iron or steel bridges, because the comparison would then be unfair, for the simple reason that there were no iron or steel bridges on the old road when it was finished. The Murray Harbour branch, as it stands, has cost what I have stated.

Mr. A. MARTIN. Which is correct, the hon. gentleman (Mr. J. J. Hughes) or the minister ?

Mr. J. J. HUGHES. The minister is correct and so am I, and the hon. gentleman (Mr. A. Martin) knows it.

Mr. A. MARTIN. There is a difference of over $500,000.

Mr. J. J. HUGHES. If the bridges that the minister speaks of are built, of course, the road will cost more than it has cost up to the present time. The hon. gentleman surely can see that if he wishes to.

Mr. A. MARTIN. The hon. gentleman (Mr. J. J. Hughes) tries to contradict the statement I made, but I think he only succeeds in showing the correctness of it. I have taken the figures furnished in this House by the Minister of Railways himself. I suppose the officials in the Railway Department furnish the minister with correct information. Certainly, I am bound to take the figures furnished by these officials rather than the figures furnished by the hon. gentleman (Mr. J. J. Hughes). And I do not think I can sit here and be lectured by the hon. gentleman when I have the minister's figures to prove the correctness of my contention. If I have been misled by the minister that hon. gentleman (Mr. Emmerson) can contradict his own figures. But I am sure he will not do that, for he

has no interest in doing so. But we need not wrangle about this. I only called attention to the great discrepancy in the cost of the two roads, a discrepancy which, I believe, has never been explained. I think it is something that has not been explained. The greater width of the embankments on the main line of the Prince Edward Island Railway may account for some of it, but it would not make up the difference.

Mr. A. A. McLEAN. I wish to ask the minister for some information with respect to a return of the 30th of June referring to land damages incurred by Thomas Curley, Charles Mitchell and others of Village Green, Prince Edward Island, for lands expropriated for the Murray Harbour branch of the Prince Edward Island Railway. The men claim that they were misled by the superintendent of the railway and in consequence of the representations made to them, they accepted and signed agreements for their land and received a very much less amount than they were legally entitled to receive. The minister brought down all these letters and also a statement made by W. A. Weeks who was sent to investigate this matter at the instance of the department. In this statement to the general manager of the railway, Mr. Pottinger, Mr. Weeks says:

> Some who held out and went to the Exchequer Court received much larger sums. It transpired that others who did not appeal to the court and, even before the judgments of the court, were offered much larger sums than those Village Green people. They, therefore, considered that they executed their conveyance under mistake of the real conditions, and are at least morally, if not legally, entitled to increased awards.

These gentlemen have been applying to the department for the last five or six years with reference to this, and I thought it was my duty to bring the matter to the attention of the minister across the floor of the House, because the representative of the department after this investigation was made reported that these men were legally entitled to receive compensation for the lands taken, and I will ask the minister to take the matter into consideration and do justice to these people. There is no doubt they did not receive what they were legally entitled to receive and according to their own representations the amounts they received were accepted under a misapprehension of the facts.

Mr. EMMERSON. Of course I am confronted with this difficulty. These parties were paid certain sums of money and accepted them. I am quite aware that there is some dissatisfaction because of that, but this is one of the matters to which I intend to give attention when I go to the island in a few weeks, as soon as I can leave Ottawa.

National Transcontinental Railway—to pay Grand Trunk Pacific for surveys, plans, field notes, &c., taken over by the commission, with interest at four per cent to August 1, 1905, $352,379.52.

Mr. OSLER. Would the minister explain that, please?

Mr. EMMERSON. These surveys were made by the Grand Trunk Pacific east of Winnipeg towards Lake Abitibi. The National Transcontinental Railway commission negotiated with the company with respect to these plans and surveys and the data secured by their engineers. After a considerable time they concluded, on the advice of Mr. Lumsden, the engineer—and I think the returns are before parliament as to the negotiations—that it would save a good deal of money to have these data and they agreed to pay the actual expenditure with interest from the date of payment up to the time when the amount should be paid, that is the 1st of August was fixed because it was supposed we would not have the Supply Bill through in time to make an earlier payment than the 1st of August in all probability. The commission secured the services of two very competent accountants, one being a Montreal accountant, Mr. Turcotte, of Kent and Turcotte, and Mr. Bell of the Railway Deparment.

Mr. URIAH WILSON. Why, after the Grand Trunk Bill was passed did the government not themselves put surveyors in the field and not trust to the Grand Trunk Pacific? Were they not as capable of having engineers in the field, locating their own railway, and why should the government take that information second-hand?

Mr. EMMERSON. These were surveys that were made before the Bill was passed. It will be in the minds of hon. members that the Bill was passed in 1903. The Grand Trunk Pacific people had sent out survey parties in order to expedite matters as they thought, and they made these surveys. As soon as the Bill was passed and assented to last year the commission was constituted and organized and they did put surveying parties in the field and then it was that the other parties stopped, but all this surveying had been done before the board was constituted and was in a position to take any active steps with respect to surveys.

Mr. OSLER. What is the date of the first expenditure on these surveys?

Mr. EMMERSON. 1903.

Mr. OSLER. Is that the date of the first expenditure by the Grand Trunk Pacific?

Mr. EMMERSON. Yes.

Mr. BRODER. Does that survey locate the road?

Mr. EMMERSON. Oh, no, these were preliminary surveys. But it was decided

that it would be a greater saving to the Transcontinental Commission to accept these surveys and to pay their actual cost than to go out independent of these altogether and traverse the same country.

Mr. OSLER. How many miles does this cover?

Mr. EMMERSON. I think that is all contained in the report. I do not carry it in my mind, the report is before parliament.

Mr. OSLER. I take it these surveys were made by the Grand Trunk Company when they had in view the building of a line in connection with their own line from North Bay to Winnipeg, and now the government have taken over that part of the road.

Mr. EMMERSON. Only a portion of that survey was purchased.

Mr. OSLER. The government have undertaken to build that part of the road now and the government have taken over the Grand Trunk expenditure on it.

Mr. EMMERSON. Yes. Not all the Grand Trunk expenditures, because the Grand Trunk made surveys along a route that will not be followed by the present location or approximate location of the Grand Trunk Pacific. My hon. friend has clearly stated the position with respect to the Grand Trunk's intention to go down to North Bay. For a certain distance the preliminary lines surveyed by the company are of advantage to the Transcontinental, but as you approach North Bay, that portion of the surveys made by them would be of no value to the Transcontinental and therefore the expenditures on that part of the line that would not be of value to the commission were not assumed. Very great accuracy was observed by eliminating those portions.

Mr. OSLER. The principle of reimbursing the Grand Trunk Pacific Railway Company for surveys that are useful is quite right, but it is almost useless for the opposition to say anything at this late period of the session, because, to bring down an estimate such as this at this time of the session, is hardly less than criminal. It is impossible that it can be intelligently criticised. We ought to have the fullest information and we ought to have the report analysed in connection with this item. We ought to know exactly what these surveys cost and whether they have been used in the location of the line. If not, to a very great extent, the money has been thrown away. But, at this particular time it is almost criminal to suggest that there can be any intelligent criticism of an item such as this. The principle of payment is right but we ought to have the fullest information.

Mr. EMMERSON. That information has been before parliament for some time. The accounts and the report of the chief engineer, Mr. Lumsden, have been presented to parliament.

Mr. OSLER. Will the hon. minister kindly read that report?

Mr. EMMERSON. I have not the report. It was laid on the table and printed long ago.

Mr. URIAH WILSON. How long ago?

Mr. EMMERSON. Two months ago.

Mr. BRODER. There was only what is called a preliminary report printed.

Mr. EMMERSON. It is an interim report up to the 1st of March or April.

Mr. BRODER. It is only a small affair.

Mr. EMMERSON. Well, it is a full and very accurate report of the proceedings of the commission from the time of their organization down to a certain date.

Mr. OSLER. Is that the report recommending the payment of this money to the Grand Trunk Pacific Railway Company?

Mr. EMMERSON. It is incorporated in that report.

Mr. OSLER. A statement showing where the money has been expended?

Mr. EMMERSON. The engineer points out that certain portions of the line are surveyed and that plans, surveys and data were prepared which were of advantage to the commission and which saved the commission a like expenditure.

Mr. OSLER. Can the hon. minister tell me what length of line these surveys cover?

Mr. EMMERSON. I am sure my hon. friend would not expect me to carry it in my memory.

Mr. OSLER. I would expect the hon. minister to have the information before him. What is the distance from the point where these surveys begin to Winnipeg? Is it 350 miles, or $1,000 per mile for the survey? It is no use criticising it, I know quite well.

Mr. EMMERSON. When that information has been laid before parliament and hon. members have had an opportunity of having a copy of the report, surely we have gone as far as we could be expected to go and while I would be most happy to afford information to my hon. friend I would point out to him that he had the same opportunity to read that report that I had.

Mr. OSLER. If the hon. minister cannot give that information, having had the report before him for all these months, if he has forgotten all about it and cannot tell anything as to the distance or the nature of the report he must not accuse me of not remembering it.

Mr. EMMERSON. I would not expect my hon. friend to carry it in his memory any more than I could carry in mine. But, I would have the report before me if I had been particularly interested in having the data as my hon. friend is.

Mr. W. F. MACLEAN. You should have it in your portfolio.

Mr. OSLER. Is not the hon. Minister of Railways and Canals particularly interested in having the information ?

Mr. EMMERSON. I read the report and I was perfectly satisfied with it. I studied it.

Mr. OSLER. I did not. Will the hon. minister kindly tell me about how many miles are covered by this survey? Is the distance 350 miles ?

Mr. EMMERSON. I think about 420.

Mr. OSLER. About $1,000 per mile ?

Mr. EMMERSON. I am only speaking from memory. I do not lay claim to a memory that is of the strength that would carry all these details. I do not think I should be expected to. Certainly, if I am expected to do so I realize my own weakness in that respect and frankly acknowledge that I do not remember the details. I remember the general features, I remember the analysis of it, I remember the effect of the recommendation and the conclusion reached by the commission.

Mr. OSLER. I should have thought that the hon. minister, when bringing up an estimate like this, would have had the report of the commission before him. I am not objecting to it, but I want the information. How far has this survey gone ? Of how much use is this survey of 400 miles costing about $1,000 a mile? What balance is likely to be required to finish that survey ? The hon. minister has no information about that at all.

Mr. EMMERSON. That will all have to be surveyed. That has to be tested and it is being tested by the commission to-day. But the cost of the surveys now being made by the commission in that locality are appreciably less, aye, less by a greater amount than the figures which represent the sum that is to be paid to the Grand Trunk Pacific Railway Company for the data which they were able to furnish.

Mr. OSLER. Would the hon. minister tell me anything about the cost of the surveys of the road.

Mr. EMMERSON. No, the commission deal with that. I do not deal with that.

Mr. OSLER. The cost of the survey formed a very considerable portion of the estimated cost of the road. When the government gave us the estimated cost I suppose they had the estimated cost of the surveys per mile.

Mr. O. E. TALBOT. Before this item carries I would like to ask the hon. Minister of Railways and Canals to give me some information as regards a certain claim put in by the Trans-Canada Railway Company for surveys made along the route which is now going to be followed by the Transcontinental Railway. I see a very large item is being voted to refund to the Grand Trunk Railway Company the cost of surveys made by them. I have no fault to find with that, but I would like to know what is going to be done for the Trans-Canada Railway Company which has been the pioneer of this road. I think they did more than the Grand Trunk Pacific Railway Company in laying out this route and that they furnished the material for the discussion in and outside of this House. I travelled all over Canada and out to the coast in the interest of the Trans-Canada Railway and addressed nearly all the chambers of commerce in regard to the project. They spent over $60,000. Part of that was spent north of Lake Superior and they do not expect to get a refund of that particular money. But, over $50,000 of their money was spent for actual surveys and they did good work which is now useful to the Transcontinental Railway. I would like to know what is the intention of the government on that particular point.

Mr. EMMERSON. I recognize that the Trans-Canada did make surveys for the eastern section of the line between Quebec and Winnipeg. That company claimed—and I think the claim is acknowledged by the commission—that the surveys and the data which they have furnished have been of very great value. The matter has been under consideration, but since the contention was placed before the government through the medium of the commission, there has not been an opportunity to deal with it. It is still the subject-matter of consideration on the part of the government.

Mr. O. E. TALBOT. How is it that the government has arrived at such a prompt decision with regard to the claim of the Grand Trunk Pacific, and that nothing has been done for the other company ?

Mr. EMMERSON. Because the data of the Grand Trunk Pacific claim was placed in the hands of the commission early last autumn and a thorough investigation was had. The claim of the Trans-Canada did not reach the commission in time; it certainly did not reach the government.

Mr. O. E. TALBOT. It was in last fall.

Mr. EMMERSON. It certainly did not come under the notice of the government

because it is not many weeks since it came under my notice and when it did I referred it to the government for consideration. There has not been an opportunity of having it analyzed or considered as it should be.

Mr. W. F. MACLEAN. Does the minister intend to build this section of the road between Winnipeg and Quebec; is that still the policy of the government?

Mr. EMMERSON. Yes, that is the policy of the government and that policy will be executed, and more than that I would say to my hon. friend that it will be built not merely to Quebec but to Moncton.

Mr. OSLER. What surveys have the government?

Mr. EMMERSON. There have been preliminary reports published by the commission. I understand that later reports from the district engineers have come to the commission and that it has been demonstrated that with regard to the line between Winnipeg and Moncton, a line of the highest standard can be secured over the whole route. Through the province of New Brunswick a splendid line, no better in Canada, can be secured.

Mr. OSLER. Would it not be wise for the government to publish the reports of the surveys in view of the statements that have been made?

Mr. EMMERSON. My hon. friend (Mr. Osler) cannot have been in the House this session and not know that the report has been submitted to parliament.

Mr. OSLER. Up to what date?

Mr. EMMERSON. Up to the first of April or May.

Mr. OSLER. The report of the commission?

Mr. EMMERSON. Yes. Some of the more prominent features of that report have been published in the newspapers and a pamphlet containing the report has been printed by parliament. The location surveys have not been had.

Mr. OSLER. They are the main thing.

Mr. EMMERSON. The location surveys are now being had at different points.

Mr. INGRAM. Can the minister tell the number of miles these surveys cover?

Mr. EMMERSON. I cannot remember the exact figures but I can state approximately. Surveys have been had covering an area 400 miles east of Winnipeg. It does not merely mean that one preliminary line was run but there have been perhaps 1,200 miles of preliminary line run and the results obtained have been satisfactory. Preliminary lines were run through the 400 miles area with the intention of securing the best available route. Based upon that data the location surveys are being made. The commission by paying out this amount saved very materially in their expenditure.

Mr COCHRANE. How do you know that?

Mr. EMMERSON. I know it from the report of Mr. Lumsden, chief engineer, who is a gentleman having a very high reputation in his profession; personally I would not be expected to know anything about it.

Mr. INGRAM. Would that 400 miles east of Winnipeg include the branch from Port Arthur?

Mr. EMMERSON. No.

Mr. INGRAM. Does it mean that no survey is necessary between Winnipeg and 400 miles east?

Mr. EMMERSON. As I understand it they will make their location surveys on the data of these preliminary lines.

Mr. ZIMMERMAN. I looked into this question somewhat and I understand that the Grand Trunk Railway have surveyed from Winnipeg to North Bay. The Transcontinental Railway Commission took over the surveys that were in the immediate zone of the Transcontinental Railway only for about 450 miles east of Winnipeg. The road, when 400 miles east of Winnipeg branches off to North Bay. They only took the surveys from Winnipeg to that junction. There has been a statement made here that this has cost $1,000 a mile, I think it has cost about $800 a mile for these preliminary surveys and when you consider that it cost probably from 15 to 20 cents a pound for taking in supplies for the surveyors, it appears to me that the cost of the surveys is reasonable. I think it was a wise thing for the government to do, to take the plans over; they were carefully prepared by the Grand Trunk Railway Company; they suited the purpose and it will save time.

Mr. INGRAM. Now that the hon. gentleman has given this matter a great deal of consideration, would he tell us whether it was the Grand Trunk Railway Company or the government that bought the supplies?

Mr. ZIMMERMAN. The Grand Trunk Railway Company bought the provisions and paid for them, and there are tons and tons of provisions cached in that country to-day for the government surveyors who will go over this course locating the line.

Mr. INGRAM. That will never be used.

Mr. ZIMMERMAN. That will be used. They are absolutely necessary, and will save the government the expense of purchasing. We have practically paid the Grand Trunk for them, and they are very necessary for the work.

Mr. INGRAM. I am very glad the hon. gentleman brought this question up, because there is a rumour going the rounds

that a large quantity of provisions have been bought and will never be used, and that this country is paying for them in order that these gentlemen may derive a large profit on them. If that statement is not correct, perhaps the minister will give it an emphatic denial. It is a common charge and rumour.

Mr. EMMERSON. And will my hon. friend take the responsibility of making such a charge?

Mr. INGRAM. I will take the responsibility of stating that such a rumour is in circulation in the public press of this country.

Mr. EMMERSON. You can get any kind of rumour circulated if you wish. It is the easiest kind of thing to start some rumour, like creating a man of straw to throw snowballs at him.

Mr. OSLER. What steps did the government take to verify the values?

Mr. EMMERSON. It was not the government that did it; it was done by the commission under the advice of the engineers. The quantities were all analyzed, the vouchers were all obtained, the accountants went thoroughly into the matter, and the commission were satisfied that the transaction was a reasonable one, and that they were getting full value. My hon. friend, I am sure, is fair enough to accept the conclusion of these gentlemen. I am sure that their written report, signed by themselves, and audited by reputable auditors and accountants, must be more satisfactory, and must be accepted with greater credence, than a mere idle rumour in some newspaper, a rumour that may be started with an ulterior motive.

Mr. INGRAM. The hon. member for Hamilton stated that he had given this matter a great deal of consideration, and I understood him to say that it was the Grand Trunk Company who bought these provisions and made these surveys, and that the government had taken them over. The minister says it was the commission that bought the provisions.

Mr. EMMERSON. No, I said that the commission took them over from the Grand Trunk Company, who had them cached at different points along the route. The commission purchased them from the company, but had nothing whatever to do with the original purchase of these supplies.

Mr. URIAH WILSON. What commission did they allow?

Mr. EMMERSON. No commission. They took them over at the actual cost.

Mr. INGRAM. Then, the Grand Trunk Company had the entire control of ordering the provisions, and were not influenced in any way by the commission? Is that it?

Mr. EMMERSON. The Grand Trunk Company made the surveys and put the provisions there before the commission was organized.

Mr. INGRAM. I am very glad to hear my hon. friend make that statement, because it is deliberately charged that a large quantity of provisions were bought, some of them in the city of London, at prices that were unreasonable, and that the quantities were so large that many of the provisions will spoil. If the statement made by the minister gives the facts connected with the purchase of these provisions, I am very glad to hear it, and I hope it will put an end to the rumours. As for a member of this House speaking of rumours, how else are we to deal with matters of this kind? Am I to go through the other provinces of the Dominion to ascertain personally what is going on? What guides me if not the public press of this country? It is by reading the newspapers that I obtain a good deal of the information which I do, and it is a part of the duties of this House to ask whether these rumours are correct or not. I am glad to have the answer of the minister, if it is correct; if it is not correct, he will suffer in consequence.

National Transcontinental Railway—construction, $1,000,000.

Mr. SPROULE. Have you let a contract?

Mr. EMMERSON. No. This is an amount asked for by the commission, and they hope to be in a position to let contracts this autumn. It is estimated that before the 1st of July, 1906, they will require $1,000,000, and they have asked for that amount.

Mr. W. F. MACLEAN. On what section?

Mr. EMMERSON. They will be in a position to commence on the eastern section. They expect to have the railway through New Brunswick and through portions of Quebec under contract before very many months.

Mr. ARMSTRONG. Can we expect another report from this commission before the 1st of July, 1906?

Mr. EMMERSON. This is an interim report to be followed by another report down to the 1st of July, 1905. Then there will be a report for the year to the 1st of July next.

Mr. BLAIN. Will they continue to report in the same way?

Mr. EMMERSON. Yes.

National Transcontinental Railway—terminals, right of way, $1,000,000.

Mr. EMMERSON. The principal terminals here referred to are those at Winnipeg and Quebec. It is thought desirable that provision should be made for a terminal at Winnipeg. In the judgment of the government, it is most desirable that a road, being owned and operated by the government from Moncton to Winnipeg, should

have a terminal at Winnipeg owned and controlled by the government. It is the policy of the government to own and control the terminal at Winnipeg and also at Quebec.

Mr. INGRAM. There is a rumour that the Canadian Northern are trying to enter into some arrangement for joint terminals and a union station at Winnipeg.

Mr. EMMERSON. If there are any such negotiations they are not known to the government, and the government is not a party to them. On the contrary, it is the policy of the government to own and control the terminal at Winnipeg in connection with the transcontinental and the eastern section from Moncton to Winnipeg.

Mr. INGRAM. Would it be a union station ?

Mr. EMMERSON. The government would own and control and have its own terminal in connection with the eastern section.

Mr. OSLER. The Winnipeg terminals are going to cost an enormous sum, and they will be used by the Grand Trunk Pacific in connection with its western line.

Mr. EMMERSON. And its eastern as well.

Mr. OSLER. In other words, this is another enormous bonus to the Grand Trunk Pacific. The main expenditure on a line by a private company from Winnipeg west would be the terminals, and the government are going to build them for the Grand Trunk Pacific, and will only charge a proportion of the 3 per cent on them. What terms have been made with the Grand Trunk Pacific for the user of that station ?

Mr. EMMERSON. I am strongly convinced that it is in the interest of Canada that we should own the terminal. Having regard to the future, it is in the interest of the people, who own the line from Moncton to Winnipeg, to control the terminals.

Mr. OSLER. The minister is quite right, but he has arrived at that conclusion a little too late. The most valuable terminal is at Port Arthur.

Mr. EMMERSON. The terminal at Port Arthur is not a part of the Transcontinental system.

Mr. OSLER. It should have been, because it is the best terminal.

Mr. EMMERSON. The government could not very well own the terminal at Port Arthur unless they owned the road down to that.

Mr. INGRAM. About the terminals from Winnipeg to Moncton, what about the terminals from Winnipeg west ?

Mr. EMMERSON. They belong to the Grand Trunk Pacific. They will build it.

Mr. R. L. BORDEN. Are we to understand that the government will construct and own at Winnipeg the terminals which will answer, not only for the purposes of the line east of Winnipeg, but also the purposes of the Grand Trunk Pacific west of Winnipeg ?

Mr. EMMERSON. The idea is this. In so far as the eastern section is concerned, the terminal will be directed, owned and controlled by the government. At the same time, in order to meet the requirements of the Transcontinental, the terminal there would of necessity be quite sufficiently complete to enable the proper connections to be made between the eastern and western sections, and the use of which by the company for its western section must necessarily be upon terms.

Mr. R. L. BORDEN. I would suppose, if you were to treat this line as one railway from Moncton to Vancouver or Port Simpson, that the terminals of the line at Winnipeg would be constructed in connection with this as a through line. You would not have at Winnipeg one terminal for the eastern section and another for the western. You would have the terminal for the two lines. Either the Grand Trunk Pacific Railway or the government would construct and own this. As I understand, it is the policy of the government to have those terminals at Winnipeg and to be occupied under terms to be arranged between the government and the Grand Trunk Pacific.

Mr. EMMERSON. That is correct.

Mr. INGRAM. That would mean the terminal within the corporation of Winnipeg ?

Mr. EMMERSON. I would hardly be in a position to answer that just now.

Mr. INGRAM. My point is this : Suppose that the Mackenzie and Mann system and the Grand Trunk Railway system agreed to build a union station just beyond the limits of Winnipeg and Moncton in which the government control the terminal point, what position is the government in then ?

Mr. EMMERSON. The government can control it. The establishment of any terminal by any private railway corporation can only be carried on under the approval of the Railway Commission. The orders of the Railway Commission are subject to revision by the Governor in Council.

Mr. INGRAM. So, if it were of advantage to the Grand Trunk Railway and the Mackenzie and Mann systems to have a union depot, the Railway Commission will have the power to say what the government should contribute towards it ?

Mr. EMMERSON. My hon. friend (Mr. Ingram) misunderstands the point. If the

Canadian Northern and the Grand Trunk Pacific Railways were to unite upon a policy with respect to the terminals at Winnipeg, they could only act in carrying out that policy with the approval of the Railway Commission. But the Railway Commission's orders are subject to revision by the government. Necessarily, then, if the policy adopted were antagonistic to the policy of the government, the government would review the commission's decision and arrange that the policy of the government should be carried out.

Mr. INGRAM. To the advantage of the government ?

Mr. EMMERSON. To the advantage of the people of Canada as represented by the government.

Mr. INGRAM. But suppose it should turn out to be to the advantage of the government, what objection would there be to having a union depot with the others ?

Mr. EMMERSON. Speakng for myself, personally, I believe it would be a disadvantage for the people to have this joint action. But I believe it would be to the advantage of the people to have the Dominion build the terminals and control them and to give the use of them, upon terms, with these other companies. I can understand that that would be a reasonable plan and would be of advantage not only to the people of the Dominion, but to these railway companies as well.

Intercolonial Railway—Rolling stock, $850,000.

Mr. BARKER. We would like an explanation of this.

Mr. EMMERSON. This amount is required to purchase the following :

	Estimated cost.
14 locomotives	$ 308,000
360 box cars	360,000
25 refrigerator cars	35,000
5 second-class combination cars	60,000
1 observation car	8,000
4 side dump cars	4,000
1 rotary snow plough	15,000
10 wing elevator snow ploughs	30,000
20 vans	26,000

Mr. W. F. MACLEAN. Where is the observation car to be used ?

Mr. EMMERSON. In the Metapedia valley, in connection with the tourist travel in the summer.

Mr. W. F. MACLEAN. What is it estimated that the locomotives will cost each ?

Mr. EMMERSON. The freight locomotives, with modern headlights and everything complete, about $21,000.

Mr. W. F. MACLEAN. Are they to be made in Canada ?

Mr. EMMERSON. Yes. I submit this amount $850,000 for the purchase of this rolling stock. But, though I have apportioned it as I have read, I would like to reserve this point: That if we find it desirable we may get more box cars and perhaps not so many engines. I made a statement in respect to the necessity for additional locomotives. I would like to have an appropriation to secure 25 locomotives. The hon. member for Hamilton (Mr. Barker) submitted a statement showing the average number of locomotives per mile on the different roads. I have submitted that to railway men and they do not coincide with the idea that it is a proper criterion. I have a report from the superintendent of motive power showing the very strong necessity, apart from any figures and averages, for acquiring additional motive power. We have been face to face with a shortage of motive power on the Intercolonial Railway. This was emphasized last winter during the snow blockade. We hope that may not be repeated, but it is always necessary to be armed against such possibilities. I have been particularly struck with the fact that the Intercolonial Railway has been obliged owing to the shortage of locomotive power to take its passenger engines on the Sabbath to move freight trains that have stood for hours and days at stations. I have had repeated complaints from the Lord's Day Alliance because of the necessity of using these passenger engines for the movement of freight on the Sabbath. Throughout the maritime provinces there is a very strong feeling as respects Sunday trains. The people are very strongly prejudiced against Sunday trains, and without discussing whether in the prejudice they are right or wrong —in my judgment I think they are right——

Mr. OSLER. It is very inconvenient, at all events.

Mr. EMMERSON. I admit it is a very great inconvenience but I have a very great respect for the Canadian Sabbath, and I think no one who has travelled throughout the United States and observed the want of a Sabbath there and contrasted that with the conditions in Canada—whether it is because of my early training—whether it is because of the prejudices that have grown up with me, I certainly have a great deal of sympathy with the feeling that there should be at least no unnecessary movement of trains on the Sabbath, I am not an extremist on the question, but there are those in Canada who feel that there should not be a movement of freight trains on the Sabbath day, and I think it is due to them from this parliament and from the government of the day that their feeling in this respect, their education in this respect, should be respected. Unless we have more engines, if we are to come measurably within meeting the conditions along the road of the Intercolonial Railway we will be under the necessity of utilizing our passenger engines on the Sabbath for freight purposes. I have felt the want of motive power very

much, it hampered the trains last winter and added very materially to the expense. It is often asked: Why is it that the Intercolonial Railway does not show a better result? I shall place before the committee, in order to have it appear in 'Hansard,' information which can be found in the blue books but which I wish to emphasize before the committee and before the public in this way. I wish to contrast the methods pursued on the Intercolonial Railway with the methods pursued on other Canadian railways:

Earnings per train mile, Intercolonial Railway.

1902	$ 0.93
1903	0.99
1904	0.97

Earnings per train mile, Grand Trunk Railway.

1902	$ 1.43
1903	1.46
1904	1.53

Earnings per train mile, Canadian Northern Railway.

1902	$ 1.74
1903	1.60
1904	1.91

Earnings per train mile, Canadian Pacific Railway.

1902	$ 1.08
1903	1.93
1904	1.95

These figures demonstrate the fact that the earnings per train mile on the Intercolonial are practically not half of the earnings per train mile on the Canadian Northern or on the Canadian Pacific, and very much below any of the other lines. On the Canada Atlantic, of which I also have a statement, the earnings per train mile were:

1902	$ 1.27
1903	1.43
1904	1.34

Let us compare the expenses per train mile on the Intercolonial Railway and on other railways.

Expenses per train mile, Intercolonial Railway.

1902	0.91
1903	0.97
1904	1.11

Expenses per train mile, Canadian Northern.

1902	$ 1.16
1903	1.07
1904	1.35

Expenses per train mile, Grand Trunk Railway.

1902	$ 0.93
1903	0.98
1904	1.04

Expenses per train mile, Canadian Pacific Railway.

1902	$ 1.11
1903	1.23
1904	1.34

Expenses per train mile, Canada Atlantic Railway.

1902	$ 0.87
1903	0.91
1904	1.01

This is a question of average. My hon. friend from Hamilton (Mr. Barker) dealt with the engine question from the standpoint of averages.

Mr. URIAH WILSON. And very effectively too.

Mr. EMMERSON. Effectively as far as figures speak. I am not calling that in question, but figures demonstrate one thing and actual results and experience teach a very different lesson. In so far as the number of engines on the Intercolonial Railway is concerned the returns show that they have more engines on the average per mile and we all know that there are engines and engines, and that a large number of those engines that are returned and numbered in the total of the Intercolonial Railway are engines of an obsolete type. Very many of them are small, perhaps 43, or 45 or perhaps 50 ton engines and they have been in use for a great many years. From time to time these engines are replaced as far as they can out of maintenance. From time to time we build engines in the shops to replace them, but necessarily, taking the conditions prevailing on the road into account, we have to keep in use quite a large number of them. If the total number of engines on the Intercolonial Railway were of a class such as those we have secured from the Kingston Locomotive Works during the past year, even with the same number of engines on the Intercolonial Railway, there would not be the necessity for this vote. One of the latest engines that we have received from the Kingston Locomotive Works is an engine of 187,000 pounds and it is one of the largest engines in use in Canada, and certainly the largest that has been constructed in Canada. I speak on the authority of the men who handle these engines, I speak on the authority of their experience of the engines which we secured from the Kingston Locomotive Works during the past year or two when I say they are of a type that is not equalled on this continent. They have the Baldwin engines. It is not my purpose to detract in any way from the manufactured products of any company, but I want to say that if you go down to the Intercolonial Railway, speak to the locomotive engineers and ask them as to the engines that are most satisfactory and produce the best results, they will tell you that the engines owned and operated by the Intercolonial Railway, constructed in the Kingston Locomotive Works, are of the highest type and bring about the best results. I think this is certainly very much to the credit of a Canadian manufacturing concern. They do not build as many engines in the Intercolonial Railway shops as I think they should. They do construct them, but this is a work that is gone on with when repairs are slack. Whether it is because of

prejudice on the part of the men I cannot say, but they will all say that these engines which are turned out from the Intercolonial Railway shops are superior to any engines on the Intercolonial Railway which have been manufactured by American locomotive concerns. I speak of this because it is information that came to me from the men themselves. It is a description of the conditions prevailing on that road, and I feel that it is due at least to the committee that I should give this information, and that it is due to the Intercolonial Railway that the explanation should be made. But they certainly require the engines and I would be very glad if we did not have to purchase so many, because if we did not I could ask for an addition to the number of box-cars. We need them very much. Any one who has had any experience of the eastern provinces during the past winter will realize that there was a very great cry all along the Intercolonial Railway for box cars. We could not supply the demand. The Intercolonial Railway last winter was obliged to decline to enter into a contract with the Allans and the Grand Trunk Railway Company to accept export traffic by way of St. John and Halifax because we could not meet that provision in the contract which required us to furnish box cars to go off our line in order to secure this traffic along the line of the Grand Trunk Railway. The Intercolonial Railway lost that traffic. We were not in a position to meet the requirements of ordinary business transactions along the line of the Intercolonial Railway for the want of that class of rolling stock. Then, it is a very easy matter to get up and talk about the large expenditures on the Intercolonial Railway. While it may appeal to a certain prejudice in the country there is one thing that we must realize and that is that Canada owns the Intercolonial, that Canada is obliged to operate the Intercolonial and that the point is as to how it can be most economically operated. On that point I am bound to accept the judgment of the officers. There are very many of them who have been there for the last 25 years, and I submit to their judgment when they say that it would be economy to have this additional rolling stock, that it would be to the advantage of the Intercolonial Railway if it had additional engines, that they should have a better class of box cars and more of them, and that if we were provided with these large capacity cars they could be sent over the Grand Trunk Railway and other railways to gather traffic for the Intercolonial and also meet the requirements of the local traffic and earn more money. When they tell me that, I feel I am bound to ask parliament for a vote to do this, because, if you have a road you must operate it and should operate it to the best advantage. You must deal with conditions. I am sadly disappointed as to the results of the past year. I have determined at least to make the effort, up to the extent of my strength, during the present year to bring about a different result on the Intercolonial Railway.

I think that a different result can be secured if parliament places us in the position—I do not mean to say that the whole deficit can be wiped out in one year, but I do say it can be minimized. I shall endeavour to have that analysis made soon, and particular attention paid to the number of employees at the different points in the different workshops. We have these machine shops at Halifax, Richmond, Sydney, Stellarton, Moncton, Riviere du Loup, Lévis, Chaudiere and all along the line. They are a necessity, but an analysis of the work they are accomplishing has not been made very recently, and never entirely to my satisfaction. That analysis will be had and I feel that there certainly can be a very material improvement made with respect to the Intercolonial Railway. I ask that this vote of $850,000 shall be given to provide rolling stock. I have pointed out what at the present moment seems to me to be a proper division of the different classes of rolling stock, and I hold this in reserve : that if it is found possible to do without locomotives and to substitute box cars in their stead to some extent, that the money shall be expended in that way.

Mr. BARKER. I shall endeavour to say what I have to say about this item of $850,000 in as few words as possible, and without entering into a general discussion of the working of the railway as the minister would seem to desire to do. There is nothing which shows more clearly the outrage of bringing down estimates in the last hour of the session than this item for additional rolling stock at the expense of capital. To properly criticise this it would be necessary to go over the stock accounts for several years past to see what he has been buying and how much of his rolling stock is lying idle or is out of existence at this moment. The minister conveniently leaves that to the very last hour of the session and then he asks parliament to vote the money. As to the average number of locomotives upon the Intercolonial Railway, I am quite prepared to admit that the number of miles to a locomotive is not a conclusive test. But I did not give just one average. I took three other railways, the Canadian Pacific Railway, which possibly because of certain traditions the minister might not consider quite fair, and I also took the Canadian Northern and the Grand Trunk Railway. He has on the Intercolonial Railway, in proportion, about two and a half times as many locomotives as the Canadian Northern and about twice as many as the Canadian Pacific Railway.

Mr. EMMERSON. The Canadian Northern counts in that the operation of certain

railways where they only run one train a day.

Mr. BARKER. I will deal with all that. The Grand Trunk Railway Company is a very favourable comparison for the minister. I do not suppose any one will dispute that the Grand Trunk Railway has a large and very varied traffic. It has branch lines, all kinds of local traffic, through traffic and everything the hon. gentleman can claim to have on the Intercolonial Railway.

Mr. EMMERSON. They have a double track and they do not have to allow their locomotives to stand on the sidings.

Mr. BARKER. The hon. gentleman has more locomotives than the Grand Trunk Railway comparatively. He said in his speech the other day, without knowing what he was talking about—I say that without offence, he did not know because he went to a railway man since to find out something about it—he said he wanted seventy-five more locomotives ; he did not consider, he did not work it out,——

Mr. EMMERSON. I wanted the twenty-five we have got and I mentioned fifty in addition to that.

Mr. BARKER. The hon gentleman said nothing about fifty or twenty-five ; he was speaking of the difficulty of working the traffic last winter through the snow and he said he wanted for the traffic in future seventy-five more locomotives than he had. Last year he obtained twenty-two locomotives at a cost of $512,000, and he is asking now $350,000 additional, although he has already got more locomotives than the Grand Trunk Railway in proportion to their mileage. In the last five or six years the Railway Department has been lavishing money on locomotives. His predecessor (Mr. Blair) came down for enormous sums to buy locomotives, buying them in the States, buying them in Canada, building locomotives ; he should have enough now to be thoroughly equipped in the very best manner. But the Minister of Railways wants more locomotives, and as long as he is allowed the money by this parliament he will continue to want more ; he is a perfect Oliver Twist in that respect. The hon. gentleman seems to take some comfort out of the cost of his train mileage, but he could double that if he wanted to by runnning twice as many trains for the same traffic. The reason the Canadian Pacific Railway and Grand Trunk are lower in the cost of train mileage is that they are trying to earn money ; they are not trying to waste it.

Mr. EMMERSON. They are higher per train mileage. What I said was that our earnings were lower.

Mr. BARKER. Yes, the earnings are lower per train mile. The difficulty with the minister is that he is running more trains than would an ordinary railway for that traffic. The Grand Trunk Railway and the Canadian Pacific Railway take care to load up their trains fully ; the minister is running his trains for purposes other than trying to earn money.

Mr. EMMERSON. We are running to try to accommodate the people.

Mr. BARKER. Yes, regardless of cost.

Mr. EMMERSON. No.

Mr. BARKER. Yes, that is the whole thing. If the minister tried to make this road pay he would be competing with the Grand Trunk Railway and the Canadian Pacific Railway in the respects he mentions. I am not able to go into the car stock book list year after year for the last five years, but I have figures here which will tell what he has been doing and the hon. gentleman and his officers know it. Up to 1901 the interchange car mileage counted against him, which indicated that in the interchange of cars with other companies he was using the other companies' cars to a greater extent than they were using his. But since 1901, since the country has been loading him up with cars, it has gone the other way, and in 1902 the minister having taken money out of capital to build cars, he earns $16,743 in lending cars to other companies. He was getting this revenue on cars which we were paying for out of capital account.

In 1903, how much did he make ? $111,-436 for car mileage paid to him by other companies for the use of his cars on their lines over and above what he paid them for the use of their cars on his lines ; and he deducts that amount from his working expenses. How much did he deduct last year, with his deficit of one million and a half? Up to the 30th of June, 1904, he deducted from his working expenses $112,-551.17 for the use by other companies of these cars which are bought at the expense of the people of Canada. He has too many cars; he is overloaded. The Canadian Pacific Railway, the Grand Trunk and all other competing lines are using his cars, and he is asking for more. He wants $360,-000 now for more box cars, and as he is not quite sure that he wants these fourteen locomotives, he is giving you a hint that he may take that $380,000 and buy box cars with the whole $740,000. I do not know how much he will make in that way towards his working expenses next year. That is what the hon. gentleman is doing with the money voted on capital account ; he buys cars, more than are needed, and virtually rents them to others. Has he been keeping up his own cars ? In 1901, the department had 364 cars absolutely out of service, actually dead and broken up ; in 1902, he had 575 dead and out of existence ; in 1903, he had 585. He cuts down expenses by not rebuilding his old cars, and gets new cars from capital and credits their rental against

expenses. It is true that in 1904, after this matter was talked over and over again, the number was cut down to 268; but he had about a million dollars deficit. That is the way this road is being managed. Is it any wonder that the operation is going to the dogs? The hon. gentleman has now finished his last year (June, 1905), and what is his deficit?

Mr. EMMERSON. I have not the figures.

Mr. BARKER. In all seriousness, I think it is about time that hon. gentlemen opposite, who have been so generous with money that does not belong to them, should in caucus or somewhere else tell the minister that he has got to stop this sort of thing. We have been going on year after year until it is perfectly frightful to think of the amount of capital that has been expended on this road, for steel rails, for bridges, for every imaginable thing, and there is no end to it. The hon. gentleman got a million dollars last year for rolling stock. This year he wants $1,548,500 and he will get it. Hon. gentlemen opposite are representing the people of Canada here, and they should see that the manner in which the Intercolonial Railway has been managed for the last seven or eight years is a positive disgrace, not only to the minister who is responsible——

Mr. E. M. MACDONALD. What do you think should be done?

Mr. BARKER. I think it should be managed in a proper way. If necessary, turn out the political management and have the road managed without any political interference whatever, and it can be worked, if not at a profit, at least without loss. It has been done before, and it can be done again. Does the hon. gentleman know what occurred two or three years ago in connection with buying ties? The whole thing was disclosed here. The number of ties required for the Intercolonial was from 500,000 to 550,000 in one year. In one year they bought 1,300,000 ties, just three months before the elections. All the figures were laid before this House. If hon. gentlemen opposite were shareholders in a company managed in this way, the president or manager would not remain there one hour; but because it is the public money that they are spending, these gentlemen allow any amount to be expended which the government choose to ask. Some day or other there must be an accounting. This thing will be inquired into, and there will be an exposure. There must be something radically wrong in it all; there must be not only extravagance, but worse than extravagance. In no other way could these enormous deficits occur. A few years ago there was a good deal of boasting of surpluses, but there had been none. The government replaces worn-out rails with new rails and charges the change to capital, and thus shows a surplus. The Grand Trunk could make 20 per cent if it did that. The hon. gentleman or his predecessor professed to have made $200,000 or $300,000, but it was done by manipulating the charges. The hon. gentleman has been brought to book to some extent, and now when he tries to show what his earnings are, he is from one to two millions on the wrong side. He confesses this year he is $2,000,000 to the bad up to the end of June. He said it was at least $1,800,000 and that he thought it would go up to $2,000,000. Has he any more comforting assurance to give us or is it going to be more than $2,000,000? He laughs and apparently would rather think it a joke if it did exceed $2,000,000, and boast that there never had been such a deficit before. On the question of cars, it must be evident to every business man that when the department has so many cars that it can get more than $100,000 from other companies for the use of them, we ought to stop buying any more. He actually deducts in those two years from his working expenses $223,000 received from other companies for their use of cars bought with the capital of this country.

Mr. E. M. MACDONALD. It seems to me that the criticism indulged in annually by the hon. member for Hamilton with regard to the Intercolonial Railway is based on the assumption that the Intercolonial Railway should be treated in the same way as a company railway.

Mr. BARKER. Certainly, so far as its operation is concerned.

Mr. E. M. MACDONALD. Let me remind the hon. gentleman that his former leader, the father of confederation, was quite willing to agree that the Intercolonial Railway should be constructed and operated as a government work, and the reason he agreed to that was that the people of the maritime provinces might be brought in closer touch with the central portion of Canada, and should be guaranteed this means of communication for all time to come, to be managed as a government work. He tells us to-night that we should not have any additional cars on that railway to keep pace with the development of the country, because these cars are used by other railways. I submit that the argument he uses supplies its own answer. If the object of the Intercolonial Railway is not to promote interprovincial trade, if it is not that we may have the products of the maritime provinces carried to other portions of Canada and return products brought back, I do not know why we have this interprovincial railway at all. If, when we do get west, other companies use our cars, my hon. friend complains.

Mr. BARKER. You do not seem to know what it means.

Mr. E. M. MACDONALD. I know what it means perfectly. The car mileage is the mileage paid by other companies for the use of the cars belonging to the Intercolonial Railway.

Mr. BARKER. This is in excess of what is paid by the government for the cars of other companies. If it were within $20,000, there would be nothing to say. But the excess is $100,000.

Mr. E. M. MACDONALD. That is not an answer. If the Canadian Pacific Railway has a large amount of grain to move from the west and they approprite the Intercolonial Railways cars, what would my hon. friend do? He knows that the only remedy would be to make them pay the car mileage. He proposes that instead of properly equipping the Intercolonial Railway for the trade of the maritime provinces we should instead use the cars of the Canadian Pacific Railway down there and pay the company mileage. That is the policy he puts forward as a statesman as a solution of the difficulty he says exists. When my hon. friend criticises the Intercolonial Railway for not charging sufficiently high rates——

Mr. BARKER. I have not said a word about that.

Mr. E. M. MACDONALD. Perhaps not in the address he has just delivered, but it is a compiaint frequently made that the people of the maritime provinces have their freight carried at a much lower rate than the rest of Canada. But the truth is that, owing to the increased trade arising from the interchange of products, the people who receive the advantage of the low rates are the people of Ontario and Quebec, who are able to send their products down to our people by reason of the low rates charged ; and that condition must continue if the Intercolonial Railway is to be what Sir John Macdonald intended it should be, a means of bringing the maritime provinces in closer connection with the others, and giving these provinces some compensation for their disadvantageous position with regard to the rest of Canada. Then the hon. gentleman absolutely disregards the abnormal conditions which existed in that portion of Canada during the last year. If the Minister of Railways were to follow the policy of his predecessor (Mr. Haggart), and cut down the wages of the employees on the Intercolonial Railway to such a point that it was impossible for them to live, probably the soul of my hon. friend might be delighted with a surplus. But the people of Canada do not expect the employees on the Intercolonial Railway to receive less wages than those paid by Canadian companies; and when, owing to deficient crops, to business conditions being poor, to tremendous snow storms last winter, there is a deficit, my hon. friend charges that to bad management. This is on a par with his criticism made with regard to the Intercolonial Railway employees. The general policy of this government in dealing with the Intercolonial Railway is quite as satisfactory as that of its predecessors. Speaking on behalf of the maritime provinces, I am here to say that in consideration of the fact that the Intercolonial Railway was one of the pledges given us when confederation was formed, we expect fair and reasonable treatment in its management and all that is necessary to make and maintain it as a first-class railway.

Mr. BARKER. Has not the Intercolonial Railway been given to you ? The country has spent $70,000,000, and has never had a cent of interest.

Mr. EMMERSON. The whole country pays the interest.

Mr. BARKER. Is that a reason why you should operate the road at a loss ?

Mr. EMMERSON. We operate the canals for nothing.

Mr. BARKER. The people whose traffic is carried on the Intercolonial Railway are willing to pay and do pay for the carriage of that traffic, not a cent of interest has been charged on that $70,000,000 ; we simply say the earnings, the receipts, are sufficient to pay and should pay maintenance and operation.

Mr. EMMERSON. Has there been any earned on the canals ?

Mr. BARKER. But the hon. gentleman says it was a present. Of course, it was.

Mr. EMMERSON. And the canals, too.

Mr. BARKER. When people who send traffic are paying for the haulage of the traffic, is there any reason why the road should not at least pay its running expenses ?

Mr. A. JOHNSTON. Are not the people paying for the traffic through the canals in the same manner ?

Mr. BARKER. There is no comparison. One is a water-way, without any track to be kept up.

Mr. A. JOHNSTON. But surely my hon. friend (Mr. Barker) does not desire to convey the impression that traffic is carried without expense on these canals?

Mr. BARKER. The canal is there as a mere waterway.

Mr. A. JOHNSTON. But what we want the hon. gentleman to say is that men who are sending their freight on the canals are paying for that accommodation.

Mr. BARKER. The man who takes freight on the canals has it carried in a boat which is provided and worked at his expense.

Mr. A. JOHNSTON. I am not concerned about the boat, but about the traffic on the canal.

Mr. BARKER. In the canal you have simply a waterway on the cost of which no interest is earned. In the Intercolonial you have a railway which has cost $70,000,000 on which no interest is earned——

Mr. A. JOHNSTON. As you have a waterway that cost $80,000,000 and which earns no interest.

Mr. BARKER. We have never expected either the Intercolonial or the canals to earn interest on their cost.

Mr. A. JOHNSTON. But I want the hon. gentleman to be fair. He says that traffic is paid for on the Intercolonial. I want him to supplement that with the statement that traffic is paid for in a similar manner when carried through the canals.

Mr. BARKER. But there is no comparison. A man on the canal takes his own boat——

Mr. SINCLAIR. If the hon. gentleman (Mr. Barker) would allow me to ask him a question, I would ask if he is aware that we have, during this session, voted $1,500,000 or thereabouts, for the maintenance and operation of the canals?

Mr. BARKER. I am speaking simply about the operation of the road. And if the hon. gentleman (Mr. Sinclair) will listen, I will give him my answer to his question. On the Intercolonial, the government receives a large amount of money from the public for the traffic that is carried. We ask of the department, why do not you operate the road so that the money you earn will pay the operating expenses? There is not a company in America that is not doing better than the Intercolonial. The hon. minister earns on the Intercolonial $100, but the expenses of earning the amount are $114. Three years ago I examined reports of some seventy railways in America —all sorts of railways, long and short, heavy of traffic and light of traffic; and the Intercolonial was the only one that had to pay for its operation more than it earned. The Minister of Railways is not entitled to take traffic on the road and throw the earnings away. We have a right to call on him to account for the operation of the road. And if he receives $100 for the traffic of the road we ask him not to spend a cent more than is necessary for the earning of that amount. The Grand Trunk Railway, to earn $100, would spend not more than $72; the Canadian Pacific Railway would spend less than $70.

Mr. A. JOHNSTON. I do not desire to prolong this discussion. But I wish to say that for every dollar spent on the Intercolonial, there is another dollar spent on the canals. And the people of this country—not only the people of to-day but the people of times gone by—have regarded the Intercolonial as the complement of the canal system and vice versa. And so it will be for the future.

Mr. OSLER. I understand that the government has voted $2,500 towards a chair of railway education in McGill. If the hon. minister would spend but one week under the tuition of the occupant of that chair and will take the figures before the House this evening, he will come back knowing exactly how to make the Intercolonial pay its expenses.

Mr. EMMERSON. I have no need to take that trouble. If I can have simply a few minutes with my hon. friend (Mr. Osler), who seems to know everything, I am sure it would do as well.

Mr. OSLER. I do not assume to have the knowledge attributed to me by the hon. gentleman. But I know that the figures that he has given showing how little the intercolonial earns per mile gives the key to the whole situation. He is running too many trains and hauling too few cars on each train. There is no grumbling about the necessary expenses of the Intercolonial. The road must be run, and run in the interest of the whole country, even if it has to be run with a deficit of a million or two millions. But we contend—and I think the case has been made out completely—that the Intercolonial can be managed so that it will meet its running expenses. I believe that if the statements the minister depends upon were put into hands of an ordinary railway manager and that manager were to manage the road on a purely business basis, by this time next year the figures would tell a very different tale and the comparisons would not be nearly so strong and startling as to the earnings of the Intercolonial compared with other roads. That is the only criticism we have; and I think the criticisms that the hon. member for Hamilton (Mr. Barker) has offered as to excess of rolling stock are quite unanswerable. For a road such as the Intercolonial to earn $120,000 extra car mileage shows in itself that that road is badly managed, either as to having an excess of cars or else looking after its cars very badly. No other railway in the world will allow other concerns to steal their cars to this extent—for these other railways only take the Intercolonial cars when they know they can make more out of them than the amount of mileage they have to pay. It is worth their while practically to steal the cars from the Intercolonial so long as they can make money over the mileage.

Mr. FIELDING. When this question of the capital charges on the Intercolonial was last before the House, my hon. friend from West Toronto (Mr. Osler) and I had a little difference about a rather curious subject—the manner in which his own company was managed. It must have seemed strange that I should venture to differ with my hon. friend upon such a subject; but I was obliged to do it. He laid down the broad principle that the Intercolonial capital account should have been closed many years

—that there was no excuse for additions to the capital account. When I criticised that argument I referred to new extensions of the road. He stated that he did not mean that, but said that unless we were building a new extension there should be no addition to capital. He admitted that a new extension would be a proper charge to capital account. But I do not see how you could add this capital if you had closed the capital account years before. He said that where a road had been finished and in operation for years, every charge made against the road must be on income account. I stated that that was not the practice on his own road, and he will remember that he and I had a little difference of opinion as to what would be the views of Sir Thomas Shaughnessy on that question. Well, I have taken the trouble to bring evidence down as to what the Canadian Pacific Railway does under such conditions. I have here an Order in Council setting forth the terms and conditions on which the Canadian Pacific Railway was allowed to add $20,000,000 to its capital account. These are the representations of the company as to what they wanted to do with this money, added to capital account. For instance they wanted:

Two hundred additional locomotives, estimated cost, $3,800,000.

The hon. gentleman (Mr. Osler) rises here time and again to condemn the Minister of Railways because he presumes to charge new rolling stock to capital account.

Five thousand additional freight cars, estimated cost, $3,750,000.

Yet, when the Minister of Railways proposed to get new freight cars and charge them to capital account, he was told he had better go back to school, he had better attend McGill college.

We find that they want:

One hundred additional passenger cars, about $800,000——

charged to capital account, but when the Minister of Railways makes a proposition of that kind we are told that he does not know his business. I find here :

—forty additional dining, sleeping and parlour cars, about $720,000.

This is not a new railway, this is simply additional rolling stock to be charged to capital account. I find that for the

Enlargement of shop facilities at Montreal and other points on the system.

$1,500,000 is asked. No new road, no extension, simply an enlargement of shop facilities and $1,500,000 is asked, chargeable to capital. But when the Minister of Railways proposes to enlarge the shop facilities at Moncton my hon. friend thinks it is an extraordinary transaction. I find it is proposed to take $500,000 for the

Reduction of grades between North Bay and Carleton Junction.

Not for a new road, not for the extension of a road, but simply for the lessening of grades and the improvement of the alignment. But when the Minister of Railways proposes to improve the grades on the Intercolonial Railway we are told it is an extraordinary thing.

Mr. BARKER. I did not say anything of the kind.

Mr. FIELDING. Hon. gentlemen opposite have said it again and again.

Mr. BARKER. We have been all last night discussing that very class of items, all we want the hon. gentleman to tell us is, how much it will cost or how much he has spent and will spend.

Mr. FIELDING. But if the capital account had been closed years ago how could he do it?

Mr. BARKER. That could be answered easily enough.

Mr. FIELDING. It cannot, there is no answer to it. I find here :

Second track on portions of the company's system where increased traffic makes a second track desirable, as between Winnipeg and Fort William, the work to be done piecemeal, in sections with a view to the most economical results, $2,500,000.

No additional road, no extension of the Canadian Pacific Railway system, but here and there, where the traffic is large, they propose to build a second track. But when the hon. minister proposes to build a second track between Halifax and Windsor Junction where the traffic is heavy we are told by hon. gentlemen opposite that there is no justification for such a course and that it is monstrous. Then there is :

Improvement of grades and alignment of short line between Montreal and St. John, New Brunswick, $900,000.

That is not an additional line, it is simply straightening curves, cutting down this grade, doing just what the hon. minister has to do at different times on the Intercolonial Railway. It is charged to capital here, but when we propose to charge it to capital we are told it is a monstrous thing.

Mr. INGRAM. What about the wooden pail?

Mr. FIELDING. I have told you it is properly charged to capital. Every wooden pail that goes into construction on the Transcontinental will be charged to capital.

Mr. BARKER. After that road has been operated for fifty years ?

Mr. FIELDING. The road which the Canadian Pacific Railway is improving has been operated for many years. The Canadian Pacific Railway has been running to Mont-

real for many years, but when it enlarges its shop facilities and charges it to capital it is all right, but when the Minister of Railways enlarges his shop facilities at Moncton and charges it to capital it is all wrong.

Mr. BARKER. I have not said anything of the kind.

Mr. FIELDING. Then I find:

For additional elevators, terminals, business and passing sidings, and other facilities, such as are being provided from month to month, to meet the requirements of the company's business, $3,000,000.

Not an additional extension or new road, but simply additional elevators, terminals and passing sidings. When the Minister of Railways puts up an elevator and charges it to capital, when he asks a vote for new sidings and for the extension of sidings to permit the passing of longer trains, we are told that is entirely unjustifiable. In making charges of this kind to capital account, the minister has the high example of the Canadian Pacific Railway and from the statements that have been made by the hon. member for West Toronto (Mr. Osler) we may judge that when the Minister of Railways goes to McGill there will be need of another pupil.

Mr. OSLER. It is always refreshing to hear the Finance Minister because he seems so deadly in earnest.

Mr. FIELDING. Hear, hear.

Mr. OSLER. He seems to believe what he says, and to try to convince himself. If the Finance Minister goes back to the facts on which I based my statements he will find they are justified, I adhere to them. I stated that if the government railway has come to the position which the minister has stated, if we can never expect it to pay, then all that has been spent on it ought to go against the revenue of the country so that the loss on the railway will be part of the expense of running the country. I have said that often and I say it now. I stated furthermore that neither the Canadian Pacific Railway nor any other railway company would add to capital one dollar where it was not expected and thoroughly understood that the money charged to capital was going to bring in a return. If the Intercolonial Railway's business warrants its double tracking, and it is their expectation that that double track is going to return interest on the money invested in it, that is a proper charge to capital, but if it is to double track the road and there is no increased earnings, if it is to be run still at a loss to the country, I say the only proper finance is to charge it to revenue and see exactly what it produces. The Canadian Pacific Railway business has increased and is increasing all over. Its mileage has increased very largely causing the expenditure on the rolling stock. Its business has increased and the expenditure is bringing in a revenue. The new rolling stock was then a proper charge to capital account in addition to what was on it before to provide for the additional earnings. The rolling stock provided for the Intercolonial Railway does not earn any money over the earnings of last year and I think I am right in saying—and the same thing applied to the year before—that all of the money spent on the Intercolonial Railway is practically money for the operation of the road. It is bringing in no increased returns, and I say no business company, no railway operated as a business proposition, will charge to capital money that is not expected and reasonably believed likely to bring in a return for its expenditure. That is the position I took and take to-day nothwithstanding the strong statements of the Minister of Finance.

Mr. FIELDING. My hon. friend (Mr. Osler) in trying to defend a hopeless position has got into a further difficulty. He is now laying it down as a principle that all charges to capital must be governed by earning power and unless you can get dividends nothing should be charged to capital. What guarantee can any company have when it puts a dollar into a railway that it will get earnings? Every railway hopes it will get earnings. But the idea that whether or not any particular item is to be charged to capital account is dependent on whether or not you receive earnings is so utterly preposterous that I am astonished that the hon. gentleman ventured to advance it.

Mr. OSLER. I made the statement that it should be charged to capital where they reasonably expected they would get earnings. You cannot be certain of getting earnings anywhere but if in the judgment of the directors it is thought probably that earnings will be secured by any expenditure then that becomes a proper charge to capital.

Mr. FIELDING. If that view is correct when we grant $3,000,000 subsidy to the Canadian Pacific Railway, I suppose as we do not get dividends we cannot charge that to capital. The hon. gentleman is driven to a desperate position; it is utterly preposterous.

Mr. OSLER. Do you expect to get dividends? The practice of giving bonuses to railways is based on the principle that it is for the benefit of the country at large. I have been opposed to bonuses for twenty years.

Mr. EMMERSON. Since the Canadian Pacific Railway was built.

Mr. OSLER. Not at all ?

Mr. FIELDING. My hon. friend says it is for the general good of the country. My hon. friend knows that we expect this to be for the good of the country, but the question as he puts it is whether we are to get dividends. We claim that the Intercolonial Railway in its operation is for the general good of the country, but that is not enough for the hon. gentleman. He wants dividends; but I would ask the hon. gentleman if he remembers all the money that we have invested in the Canadian Pacific Railway chargeable to capital on which we do not get a cent of dividends.

Mr. OSLER. That is not the point.

Mr. INGRAM. I would like to ask the minister if the quality of the 22 engines that we bought last year is the same as the 14 engines that the hon. gentleman proposes buying now.

Mr. EMMERSON. Yes, exactly the same.

Mr. INGRAM. Then how does it come that the cost of the 22 averaged over $23,000 last year and that the cost of the 14 this year will average $22,000 ?

Mr. EMMERSON. Freight engines cost somewhere about $21,000 and passenger engines cost more.

Mr. INGRAM. I am speaking of the general average cost of the engines last year and this. The hon. gentleman speaks about being short of box cars. Is it true that sometimes on the government railways loaded cars are detained for weeks on the sidings and if so does the government charge any demurrage ?

Mr. EMMERSON. They pay demurrage at all points except at one or two points where we have not facilities, as at Halifax, for cars arriving with flour for shipment along the coast to points where they have no railways. We give a certain limit of time for the convenience of the packets which run from Halifax to different points. That is only for a time until the railway can add to its terminals there and provide a flour shed. It is the intention of the railway to do that, but a portion of the wharf on which the flour shed is to be built is now occupied by the Marine Department. We hope, however, to have that shed completed. It is in the interest of the railway, because then these cars will be free at once.

Mr. INGRAM. Then there are no other complaints at all ?

Mr. EMMERSON. No, we charge demurrage at all other points. There is some loss of time with cars of lumber for shipment to Great Britain. In order to have the cargo there in time it is rushed in to Halifax and the vessel may not reach port at the time expected.

Mr. OSLER.

Mr. R. L. BORDEN. I am informed that an appointment was not long ago made to the train service of the Intercolonial Railway of a man who had recently been employed as a hotel clerk and bar-keeper in a town in New Brunswick and who had been dismissed from the service of his employer because he was guilty of embezzlement to the extent of about $4,000. I can give the hon. minister the name of this person, but I will give it to him in private, because I do not want to do this man what might be a positive injustice. I have a statement to the effect that a detective had been employed to watch him, that he made restitution of $2,500, that his depredations in addition have amounted to about $2,000 more, that having lost that employment he was within a very short time afterwards appointed to a place of trust in the train service of the Intercolonial Railway and that he now occupies that place. If the facts are as stated and if they were within the knowledge of the minister and of the hon. member of this House who is stated to have recommended him for that position, I regard it as an extraordinary procedure on the part of the government and on the part of the hon. gentleman who recommended him to that position. I do not know whether or not these facts are within the knowledge of the minister, but I have absolute details of the circumstances which I can give to him or to the House at the proper time.

Mr. CAMPBELL. Does the Intercolonial Railway ask a guarantee from him ?

Mr. R. L. BORDEN. I do not know whether they do or not. I do not know whether it is a position which demands a guarantee, but it is a position which may be said to be one of trust.

Mr. E. M. MACDONALD. What county was it in ?

Mr. R. L. BORDEN. I will not mention that unless my hon. friend presses it. I do not want to say anything which would lead to the identification of this man if the charge is made against him unjustly. I also want to mention another matter. We passed last night, I think, an item for extended accommodation at Amherst. I understand that there was an application by the town of Amherst to connect the Intercolonial Railway with a wharf which has been built by an appropriation of public money and that the building of this wharf is of very much less use to the town of Amherst than it otherwise would be unless this connection is made with the Intercolonial Railway. I understand the hon. minister, in reply to some representations from the town, said that the Intercolonial Railway had made so bad a showing during the past year that he proposed not to give that connection at the present time. I

am stating the advice which was given to me. Would the hon. minister be good enough to state exactly what the position of the matter is and whether or not the connection is proposed to be made ?

Mr. EMMERSON. In respect to the case of some appointment, in the first place I cannot recollect any person having been appointed to any responsible position on the Intercolonial Railway for months. It is stated that it was within knowledge of the minister when this appointment was made what the character of the man was.

Mr. R. L. BORDEN. I did not say anything of the kind. I said that if it was within the knowledge of the minister I regarded it as a most extraordinary proceeding.

Mr. EMMERSON. I understood the hon. gentleman to say, instead of 'if,' that it was within his knowledge.

Mr. R. L. BORDEN. Oh, no.

Mr. EMMERSON. I cannot conjecture any such appointment, and I would thank my hon. friend if he would give me the information. I shall certainly be very much surprised if any such appointment has been made. Certainly to no responsible position has any such appointment been made, because there has been none within the last six or eight months. If this were an appointment made a year ago or some months ago, I could not speak with the same certainty, but I know that since I came to parliament there have been no appointments to fill positions, because there have been no vacancies. In respect to the breakwater or wharf at the Chignecto Ship Railway docks, I certainly never communicated any such statement to anybody at Amherst or elsewhere. On the contrary, instructions were given to the general manager to have the right of way secured in order that the spur line could be constructed from the Intercolonial Railway, near Port Lawrence, down to the dock. There was a proposition to have that spur line built on the roadway of the Chignecto Ship Railway. That proposition was made, and the Amherst people wanted it to be built. I declined to do so, because I felt that there would be submitted a large claim against the Intercolonial Railway by the representatives of the Chignecto Ship Railway Company, and Mr. Pottinger was instructed to open negotiations with the parties owning the land for the right of way. I assume Mr. Pottinger is carrying out the instructions. Until the right of way was secured, I felt we could not connect the Intercolonial Railway with that dock over the roadbed of the Chignecto Ship Railway.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. What business is to be taken to-morrow ?

Mr. FIELDING. We will proceed with estimates, and possibly some Bills.

Mr. R. L. BORDEN. There is not very much choice left now.

Mr. FIELDING. No ; we will take the estimates of the Minister of Public Works.

Motion agreed to, and House adjourned at 1 o'clock a.m., Friday.

HOUSE OF COMMONS.

FRIDAY, July 14, 1905.

The SPEAKER took the Chair at Eleven o'clock.

PREVENTION OF TUBERCULOSIS.

Mr. GEO. H. PERLEY (Argenteuil). With regard to the report of the Joint Committee of the Senate and House of Commons on the question of tuberculosis, it has been suggested to me that clause No. 7 of the report of that committee goes a little far, and I beg to move :

That the report of the Joint Committee of the Senate and House of Commons on the question of tuberculosis, with the exception of clause 7, be concurred in.

Mr. R. L. BORDEN. When you omit clause 7 there is not very much left. That clause suggests that the Dominion government should make a contribution to assist in stamping out the disease, and that is a suggestion to which all the rest of the report leads up to. If you strike out clause 7, the report practically means nothing. I think the subject is one which should invite the immediate attention of the government. While it might be advisable for my hon. friend from Argenteuil (Mr. Perley) to have the report passed with the most important part expunged, because otherwise he could not get it passed at all, still I think the suggestion in clause 7 is one that should engage the immediate attention of the government, and in respect of which action should be taken at the earliest possible moment.

Sir WILFRID LAURIER. The objection to clause 7 is because it calls on the federal government to contribute yearly to each province a considerable share of the annual cost of dispensaries, inspection, the erection and maintenance of sanatoria, &c. When you commit the Dominion to a proposition such as that, you open the door to very far-reaching consequences. Under our system we contribute out of the federal exchequer certain sums to the provinces, which they may use as they see fit ; but if we commit ourselves to contributing a further amount than that stipulated in the British North America Act, where will we stop ?

Mr. R. L. BORDEN. I do not want to be understood as saying that clause 7 is one which ought to be adopted in its entirety. I agree entirely with what has been said by my right hon. friend. Whatever the Dominion does, it should do of its own accord, without regard to the provinces. All I desire to say is that the question of the suppression of tuberculosis is of such great importance that it demands some action on the part of this government.

Sir WILFRID LAURIER. I admit that this is a very important subject, and I believe that my hon. friend from Argenteuil (Mr. Perley) will have gained his point in having the report adopted, as that will show that the Dominion parliament takes an interest in the matter and favours prompt action.

Mr. T. S. SPROULE (East Grey). What ought to be done is to send back the report to the committee to be amended. We have in the past adopted reports of a somewhat similar character, for instance, the report with regard to the Horse Breeders' Association ; and this report might be amended so as to attain the object in view without touching the question of provincial subsidies. But if the report was sent back, then I think it could be amended in such a way that it would be accepted by the House.

Sir WILFRID LAURIER. We are now in the seventh month of the session, and I think we are all anxious to get away. The matter can be taken up in the early part of next session and dealt with fully. I do not think that at this stage, the subject could be given the attention by the House to which it is entitled.

Mr. SPROULE. But you give it a black eye at the start.

BUSINESS OF THE HOUSE.

Hon. GEORGE E. FOSTER (North Toronto). Before taking up the Orders of the Day, I would like to ask the Prime Minister (Sir Wilfrid Laurier), if there would be any objection to taking up the notices of motion and passing them in accordance with the conversation I had with him a few days ago ?

Sir WILFRID LAURIER. If agreeable to my hon. friend, I would ask that this be postponed until Monday. We might then go over all the private members' orders.

Mr. FOSTER. That is satisfactory.

REPORT OF MR. H. RIDER HAGGARD.

Mr. URIAH WILSON (Lennox). Before the Orders of the Day are called, I would like to ask the government if they have received any report from Mr. H. Rider Haggard ? I see that he has made a report to the imperial government.

Sir WILFRID LAURIER. Yes, I have received Mr. Haggard's report. I will lay it on the table on Monday.

THIRD READING.

Bill (No. 188) respecting the inspection of water meters.—Mr. Brodeur.

CRIMINAL CODE AMENDMENT—TRADING STAMPS.

Hon. CHARLES FITZPATRICK (Minister of Justice) moved the third reading of Bill (No. 196) to amend the Criminal Code, 1892.

Mr. R. L. BORDEN (Carleton). Before this Bill passes, I would like to make one observation. I realize that a difficulty has arisen, and possibly some legislative action should be taken. But, in my view, the Bill either goes too far, or does not go far enough. Unless we are to proceed along a line of legislation that has not hitherto been proposed, it goes too far. But if we are to proceed along that line of legislation, it does not go far enough. To show that it does not go far enough, I have only to point out that under this law trading stamps may still be distributed and redeemed, if the person distributing is also the person who redeems, and if he redeems them at his own place of business. This still leaves untouched the element of lottery which was referred to in the argument of the Prime Minister (Sir Wilfrid Laurier)—and I am bound to say that that argument seemed to me to carry a good deal of weight. It also leaves the element of lottery untouched, in that manufacturers or wholesale dealers may still issue or attach to their goods what is really a trading stamp but to which no value whatever is assigned. Here the element of chance, the element of lottery, is clearly left untouched. The law does not go far enough, also, in that it will be ineffective. Persons engaged in the business of putting out trading stamps will have no great difficulty in devising a scheme which will be quite as good for their purposes as that now in existence, but which they can carry on without violating the provisions of this Bill. Whether my view in this respect is correct or not will be shown by the result. The Bill is principally in the interest of the retail merchants—we understand that from what has been said in the House by gentlemen who are interested —and not so much in the interest of the consumer. The fact that it is in the interest of the retailer is by no means an argument against the Bill ; for, if there is really an injustice which affects only a particular class or section, particular legislation is required for its removal. But the danger pointed out by the Prime Minister is one of more far-reaching nature—that is, the danger to the public in the introduction of a new form of

lottery. That is the element that affects the consumer. And that is the element that is not touched, as I understand, by the legislation proposed. Of course, the legislation has been rather hastily introduced; and perhaps it may require amendment at a future date. But I think it only right on the occasion of the third reading to give my view as to the principle which should be adopted and the legislation which will eventually have to be enacted, if we are to deal with the real danger which is supposed to be met by the present Bill.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister). The object of this legislation is to reach what is known as the trading stamp —that is, that a certain green stamp which has attained a rather unenviable notoriety in every city, town and village of the Dominion. I think this legislation will reach that stamp, and if it does it will fulfil that object which it is intended to fulfil.

Mr. R. L. BORDEN. That particular stamp?

Sir WILFRID LAURIER. That particular stamp. That is the object, and I think it will attain that object. It may be that there will develop other forms of duping the public. If so, other legislation may be needed at some future time.

Motion agreed to, and Bill read the third time, and passed.

SASKATCHEWAN AND ALBERTA—ROADS AND ROAD ALLOWANCES.

Hon. FRANK OLIVER (Minister of the Interior) moved the second reading of Bill (No. 195) respecting roads and road allowances in the provinces of Saskatchewan and Alberta. He said: This Bill is needed to carry forward in the new provinces the conditions that exist in the Territories at the present time in regard to the setting apart and control of roads and road allowances. The object is to place under control of the provincial government the roads now existing and the roads in use, not now legalized which may hereafter be legalized.

Mr. R. L. BORDEN. If the minister will permit me, I would ask him to explain the law as it stands at present. Are these roads and road allowances still vested in the Crown, or is the title to them vested in some corporation? In other words, what is the condition of the title to the roads and road allowance and under whose supervision are they now?

Mr. OLIVER. As I understand it, by similar provisions to those contained in this Act, the Dominion government a number of years ago divested itself of the control of the roads, and placed that control in the hands of the Territorial government. The Territorial government exercises all jurisdiction over the roads and road allowances of the provinces, that authority having been delegated by the Dominion.

Mr. R. L. BORDEN. Is that statute repealed by this enactment? Is this enactment in substitution, so far as the new provinces are concerned, of the statute to which the hon. gentleman (Mr. Oliver) has just referred? Does it follow the provisions of that enactment, substantially or literally?

Mr. OLIVER. Substantially it does.

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

On section 2,

All road allowances in townships now or hereafter surveyed and subdivided, and all road allowances set out on block lines now or hereafter surveyed, in the Northwest Territories within the limits of the province of Saskatchewan or the province of Alberta, as those provinces are defined in the Saskatchewan Act and the Alberta Act respectively, the plans of survey of which have been duly approved, and the Dominion lands comprised in such road allowances, shall be vested in the Crown in the right of the province within which such road allowances are situate.

Mr. SPROULE. According to the principle of provincial rights, do not the municipal authorities control these roads in any event? Property and civil rights are given to the provinces, and they control all the highways under municipal laws. In our province, all roads are under the control of the provincial authorities, and under control of the municipal authorities through the power given to municipal corporations. Now would it not be the same in the Northwest as in Ontario?

Mr. OLIVER. I am not versed in the strictly legal aspect of the question, and I am not familiar with the conditions in Ontario; but I presume this legislation is based on the fact that the title to the land is in the Dominion, unless there was some specific transfer of that right, or title, or interest, or control. This is a matter of transfer of control rather than of title.

Mr. SPROULE. What would be the situation providing you were pushing a municipal road through belonging to the Dominion, what power would you have to tax those lands for the upkeep of that road? You vest all public highways in the province, but you do not vest lands in the province. Would the province absolutely control highways going through Dominion lands which were still vested in the federal parliament, and what power would the municipalities have to tax those lands for keeping up the roads?

Mr. OLIVER. There is a further provision in this Bill for the purpose of doing

what the hon. gentleman has suggested, that is, placing the control of a road which has bene forced through the Dominion lands in the hands of the province. But of course there is no power given here, nor does any exist elsewhere, for the taxation of lands still remaining in the hands of the Dominion.

Mr. SPROULE. What authority will the province have now to lay out new highways? If the municipal corporations wish to lay out highways through Dominion lands, what power of expropriation would they have? Because it is constantly occurring in our province that municipalities have to make the road deviate, it cannot follow a straight line. What would happen in case the municipality was obliged to encroach upon land that did not belong to the province?

Mr. OLIVER. I understand there is a provision in section 5 of the Bill to cover that point.

On section 3,

Mr. SPROULE. What right will you have with regard to the width of the road? Some require to be wider than others.

Mr. OLIVER. I think there is a generally recognized width of one chain. Many years ago the old trails were surveyed two chains in width, but I think that wide survey has been dropped, and the trails are now surveyed of the same width as the ordinary road allowance.

Mr. SPROULE. Could they not go over that width in case of additions or unevenness of the trail, or where snow blockades might be heavy? Otherwise they would be hampered.

Mr. OLIVER. I think that section 5 covers that point while a special survey is required in the development of the country.

On section 5,

Mr. SPROULE. It seems to me there ought to be some provision recognizing the necessity for a deviation of the line of roads, in case for instance, where they have to cross streams.

Mr. OLIVER. This section is to provide for deviations of roads. The lieutenant governor shall say where a new road requires to deviate, and in that case a road shall be so surveyed, and the road thereby becomes vested in the provincial government. I would like to draw the attention of the Minister of Justice to these words: 'In accordance with the system of Dominion lands survey obtaining in the locality.' It seems to me those words might conflict with the idea of a special survey in any direction or in any place which the nature of the country would make necessary to secure a passage.

Mr. FITZPATRICK. I would not like to say anything about a clause of this sort, which must have been carefully drafted. Every word is supposed to have an effect, and I would not like to suggest any change in it.

On section 6,—filing of returns of survey to vest lands in the province.

Mr. SPROULE. Will you always have to wait until you get the survey approved by the surveyor general before you can act?

Mr. OLIVER. Yes, before the control finally passes.

Mr. SPROULE. Could you take possession of the land before the consent is given?

Mr. OLIVER. I think that it is a matter of adjustment as to how soon possession can be taken. This provides for the absolute transfer of control, which cannot be done satisfactorily until the approval of the plans and survey by the Surveyor General has been obtained.

Mr. SPROULE. It would be a very inconvenient thing if you had to wait until you applied to Ottawa, with all the delays which usually result, before you can take possession of a piece of land to make or to deviate a road. If you had power to take the land and make the road it would not be so bad, but if you had to wait until you get the consent of the government here it would be very inconvenient.

Mr. OLIVER. I think that it could be overcome by arrangement between the local government and the department. That, I do not think, comes in necessarily in the consideration of this section. We cannot positively, finally and actually transfer the control until we are satisfied what the limits of the land that we transfer are so that we would have to have the approval of the Surveyor General of the territory. I think the difficulty which the hon. gentleman suggests will not arise, because that will be a matter of amicable arrangement between the Dominion government owning the land and the provincial government which wants to use it for a road.

Mr. SPROULE. I would think that would be a difficulty for this reason: Suppose you want to take a piece of land and suppose this government has some other object in view with reference to that land, then, suppose you got the Dominion Land Surveyor to survey the road, that you took possession of it, you are afraid to spend money because you do not know whether you are going to get it or not. There should be some provision in the Act, whereby under the control of the Lieutenant Governor in Council a surveyor could be sent out and survey what is needed, because the local conditions would be better known there than elsewhere, and whereby they could

take what is needed for the road and then get the consent from the federal government down here. If they must always wait before doing any work until consent is obtained I am inclined to think there would be some difficulty at times. I do not think you could do anything unless it were put in the law. You cannot leave anything to be adjusted between two governments outside of law.

Bill reported, read the third time and passed.

ARBITRATION WITH THE GRAND TRUNK RAILWAY.

House in committee on Bill (No. 199) to amend an Act respecting an arbitration between His Majesty and the Grand Trunk Railway Company of Canada.—Mr. Fitzpatrick.

Mr. R. L. BORDEN. Would the hon. Minister of Justice be good enough to tell us what this Bill accomplishes ?

Mr. FITZPATRICK. I think I cannot do better than read the memorandum which has been handed to me by the third arbitrator.

Mr. R. L. BORDEN. Who are the arbitrators ?

Mr. FITZPATRICK. Mr. Shepley is the arbitrator for the government ; Mr. Lafleur of Montreal is the arbitrator for the Grand Trunk Railway Company and Mr. Justice Killam is the third arbitrator. The memorandum is as follows :—

The Bill now proposes to amend the Act of 1904 by giving the arbitrators power to make several awards on the different points and disputes that have arisen. In this way much expense will probably be avoided, for if an adverse award is given upon any particular dispute it will not be necessary to go into the amount that may be claimed under it, so that the expense upon the inquiry into the amount of damages would be avoided. It also provides that disputes arising since the beginning of the proceedings up to 1st January, 1905, may be referred for adjudication.

After the reference was made certain claims were discovered on both sides which had been put forward in addition to those which had been put forward at the time the arbitration was initiated.

It also provides that clause 13 of the Railway Act, which enacts that the railway commissioners shall devote the whole of their time to the Railway Commission, shall not apply to any of the arbitrators.

This provision is inserted to avoid disqualifying Mr. Justice Killam, who has already heard a very considerable portion of the case.

Mr. R. L. BORDEN. Is this the board of arbitrators to whom was referred disputes in reference to the traffic agremeent between the government and the Grand Trunk Railway in 1899 or 1898 ?

Mr. FITZPATRICK. These are the arbitrators who have been appointed to decide on the claims that have arisen under two agreements; first the agreement of 1879 which provided for the acquisition by the government of that portion of the Grand Trunk Railway from Riviere Du Loup to Lévis, and second under the agreement of 1899 which provides for the acquisition by Canada of what is called the Drummond County Railway. In both of these agreements provision is made for the submission to arbitration of difficulties which may arise.

Bill reported, read a third time and passed.

SUPPLY—RIGHTS OF CANADIANS IN SOUTH AFRICA.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. A. C. MACDONELL (South Toronto). Mr. Speaker, before the House goes into Committee of Supply, I desire very briefly at this late stage of the session, to call the attention of the government to a matter of considerable importance to certain Canadian citizens who have been deprived of their rights in connection with large mining interests in South Africa. The facts as represented to me are shortly these : prior to the year 1897, a gentleman named R. E. Brown, an American citizen, secured for himself and certain other persons associated with him (some of them being Canadians) about 1,200 valuable mining claims on what is known as the farm Witfontein in the district of Potchefstroom in the South African Republic. These claims were pegged out and rightfully owned by Mr. Brown, but the president of that republic, Mr. Kruger, denied the right of Mr. Brown and his associates to these claims and refused to issue licenses or leases. Mr. Brown, representing himself and his associates, applied to the courts of the South African Republic and on their behalf brought an action against Dr. Leyds, the secretary of the executive of Mr. Kruger ; and also against the clerk of the district in which these mining lands were situated—asking that licenses should issue to him in accordance with the law. In that action Mr. Brown recovered a judgment as prayed for by him. The full court determined that he was entitled to have issued to him licenses for these lands, and in default he was awarded damages commensurate with the estimated value of the claims. These damages were assessed at £720,400, so that it will be seen that the amount involved is very large. That judgment was rendered by the High Court of the Republic of South Africa on the 22nd of January, 1897. Immediately after this judgment, Mr. Kruger sought to thwart its execution in order to deprive Mr. Brown and his associates (some of whom were Canadians) of the benefits thereof. Mr.

Kruger having previously endeavoured to influence the court to give judgment against Brown, et al, and having failed in this, and the court having awarded judgment to the plaintiffs, then Mr. Kruger dismissed Chief Justice Kotze of the High Court and Mr. Justice Ameshoff, who concurred with him in that judgment. These men were dismissed from their positions as judges and certain other judges amenable to the executive of Mr. Kruger were appointed in their stead; these new appointees having taken an oath which practically amounted to pledging them to reverse the judgment previously obtained by Brown, et al, and to deprive them of their rights under that judgment. Mr. Brown appealed to this newly constituted court for the damages awarded him by the first judgment but he was told that he would be obliged to submit to a rehearing of the whole case, which of course meant that the judgment of first instance would be reversed and that he would be deprived of the relief which that judgment gave him and the fruits thereof. Succeeding that, a state of legal chaos ensued with which we are all familiar, and during which time the courts administered law according to Mr. Kruger's own desires. These particular mining leases were in the interval allotted to Mr. Kruger's own favourites. A state of anarchy and war followed, during which time it was impossible for Mr. Brown to press the claims for himself and his associates. When the war was over, Mr. Brown and the others associated with him sought redress at the hands of Lord Milner, Governor of the South African Colony, and on the advice of Sir Richard Solomon, Attorney General of his cabinet, these claims were denied on grounds that I submit are unsatisfactory, but which I will not now detain the House to mention. The reasons given are somewhat lengthy, but suffice it to say that the claims were dismissed on grounds which in the opinion of legal gentlemen who have considered the matter, and in the opinion of others who have pronounced upon their equity, were considered to be wholly inadequate and untenable. Briefly stated—it was found by Sir Richard Solomon that Mr. Brown should have pursued his remedy before the newly constituted court which was sworn to administer justice against him. Of course that would be a useless and fruitless proceeding. The other ground of denial was that the rights of others had intervened and that to disturb the holdings of these appointees of Mr. Kruger would be to create an unsettled condition of affairs. In the very judgment which awarded Mr. Brown his damages it was found that the allotment by Mr. Kruger of these lands to his friends and favourites was illegal and against the laws of the Transvaal Republic. On all grounds it is submitted that there were no valid reasons for the opinion of the Attorney General of Lord Milner's cabinet.

Mr. Brown being an American citizen the American governmet intervened on his behalf. The United States Senate referred the matter to the Committee on Foreign Relations, and a correspondence was carried on between Mr. Secretary Hay, representing the United States, and Lord Lansdowne, Foreign Secretary, representing His Majesty's government. As Mr. Brown died during this period and as these Canadians were largely interested, the surviving claimants deemed that the negotiations could be more properly and successfully carried on through the home government and the government of the Canadian colony; the negotiations so far as they were conducted by the United States government ceased. The widow of Brown and the Canadians interested have made repeated efforts to bring the matter to the attention of the imperial authorities, but so far without a successful adjustment of their claims.

I desire to ask the government to make an inquiry into the matter, and, if they think fit, to make such representations to the imperial authorities or to the government of the colony of South Africa or to both, as will secure justice for these claimants. The Canadian people, and Canadian soldiers in particular, have performed such services for the colony of South Africa and for the empire generally, that the rights of Canadians in that colony should be considered. The reciprocal trade relations which at present exist between the South African colony and ourselves should make for the same end. But I think that this matter, on its merits, is a proper subject for inquiry by this government. I would be pleased to hand to the Department of Justice all the documents connected with the case, so that a thorough investigation may be had; and if, in the opinion of the Department of Justice, this claim rests on justice and equity, then I submit that some action should be taken along the lines which I have indicated.

Mr. FITZPATRICK. I understand from what my hon. friend has said, that the parties in question claimed to be the proprietors of certain mining claims in South Africa, that the question of their title being in dispute, was referred to the court; that the court adjudicated on the title in their favour; that the president of the South African republic, Kruger, thought fit to interfere with the action of the court to the extent of dismissing the judges who were the regularly constituted legal authorities to deal with the matter, and appointing other judges to deal with the case in the interest of his own friends; and that in the interval he took possession of the property and disposed of it for their benefit. Under these circumstances, I think it would be proper for the Canadian government to make inquiry, and I will suggest to the Prime Minister that some inquiry should be had and that representations should be

made along the lines suggested by the hon. member for South Toronto (Mr. Macdonell.)

TELEPHONE CONNECTIONS.

Mr. W. F. MACLEAN. Before the House goes into Committee of Supply, I would ask its indulgence for a few moments in order to refer to a matter which has only come up to-day, that is the decision reached by the Special Committee of this House in regard to telephones. If that decision is concurred in by the House, no legislation will be passed this session in regard to telephone grievances in this country. The reference made by the House to the Select Committee was to inquire into and report regarding the various telephone systems in operation in Canada and elsewhere, and to consider and report what changes if any are desirable with respect to the methods at present in force for furnishing telephone service to the public.

Mr. R. L. BORDEN. Is the report laid before the House yet ?

Mr. W. F. MACLEAN. No, and I may be somewhat out of order in referring to it. But under the motion to go into supply I can bring to the attention of the House the present condition of affairs. The other day the Railway Commission gave a decision in regard to the Fort William and Port Arthur telephone case, the effect of which is to leave matters in the same unsettled condition. The finding of the commission is that some compensation will still have to be paid to the railway authorities and to the Bell people for the entrance of the municipal telephone system to their stations. The object of the original Bill was, as I understand it, to give all telephone companies access to railway stations. I well remember that when the Bill was introduced, I had a great deal of trouble in forcing the government to insert a clause which would give that convenience to telephone companies other than the Bell, but the then Minister of Railways brought down an amendment which he said would in effect give that entrance to the rival telephone companies. Under that provision the municipalities of Fort William and Port Arthur asked that their telephone system be allowed to go into the premises of the Canadian Pacific Railway Company. They were refused. The case was heard by the Railway Commisison, where a great deal of discussion took place and after two years no settlement has been reached. The chairman of the commission inclosed to me the other day the finding of the court. He said :

> As you seem to have taken so much interest in the aplication of the towns of Fort William and Port Arthur for telephone connection with the Canadian Pacific Railway stations, I inclose you a copy of opinions of the board which have been furnished to the parties.
>
> I regret to say that, after numerous discussions and attempts, the Hon. Mr. Bernier and myself have been unable to agree upon a definite final order upon all details, and have been obliged to leave the matter in the condition shown in the inclosed memorandum.

With that is inclosed the finding of the commission. So that where the public were promised relief two years ago by this Bill and by this very expensive commission, no relief has been afforded ; and notwithstanding the fact that this House, under the leadership of the Postmaster General, has appointed a special committee to investigate telephone conditions in this country this session is likely to pass without any remedy being afforded for grievances that do exist to-day. Now, my suggestion in the Telephone Committee this morning, and my suggestion to the House to-day, is, that parliament is bound to afford some immediate relief ; and before this session closes it ought to pass an Act removing the uncertainty as to damages which seems to exist in the law as it now is, providing that the only damage allowed to the railway companies shall be the actual damage, and compelling telephone companies to interchange traffic. In other words, the trouble to-day in this country in regard to telephones is this, that a great monopoly known as the Bell Telephone Company now exists, and refuses to interchange business with other telephone companies. I believe a telephone company is a common carrier. To show how quickly some of the legislatures in the United States are ready to deal with great public grievances of this kind, I may say that in the State of Wisconsin the other day a Bill was introduced to regulate the tolls of telephone companies, and before the Bill passed—and they passed it very rapidly—they asked their Attorney General to make a report to the legislature as to whether a telephone company was a common carrier or not. Within a very few days the Attorney General sent his report to the legislature, vindicating the position that a telephone company was a common carrier and was therefore bound to treat all people alike. I believe that is the common law. If a telephone company is a common carrier under the common law it can be compelled to treat everybody alike and to interchange traffic with other companies, as is done in the United States.

Mr. SPEAKER. I think the hon. gentleman's discussion is premature, unless it is out of order.

Mr. W. F. MACLEAN. I think, Mr. Speaker, that on the proposal to go into Supply I can discuss anything.

Mr. SPEAKER. The hon. gentleman has attempted to discuss a report of a committee which is not yet before the House.

Mr. W. F. MACLEAN. I am not discussing that report at all. I am making a proposal that before we go into supply, this House will deal with grievances that exist in connection with the telephone.

Mr. A. JOHNSTON. Mr. Speaker, I did not desire to call attention to this matter, but I really think it is necessary to point out that the hon. gentleman is discussing the finding of the Telephone Committee this morning, which has not yet been submitted to the House. I think my hon. friend should permit that finding to be laid before the House. It would be necessary perhaps for members of the committee to discuss the matter, and they could not discuss it unless the report were on the table.

Mr. W. F. MACLEAN. I am not discussing the report of the committee, but the grievance existing under the present law.

Mr. SPEAKER. I understood the hon. gentleman to commence his discussion by referring to a report not laid on the table and to continue his discussion along that line. That would be out of order.

Mr. ZIMMERMAN. The hon. gentleman is clearly out of order. He is anticipating the report of a committee which was discussed this morning in committee, but which the committee are not prepared to present until to-morrow. I think the hon. gentleman, in referring to that report at all, is committing a breach of privilege. He will have plenty of time to discuss it when the report is laid on the table.

Mr. W. F. MACLEAN. I am not discussing the finding of the committee at all, but the finding of the Railway Commission with regard to the telephone grievance. The acting chairman of the Telephone Committee says I will have an opportunity to discuss the question when the report of that committee is presented. The hon. gentleman is mistaken. The mere presentation of that report will not give me the opportunity to discuss it.

Sir WILFRID LAURIER. I do not think my hon. friend is out of order. If he abstains from referring to the report of the committee, he is not; but he is nevertheless discussing a question which has been referred to a committee of this House, and he is doing that before we have that report. He cannot expect this government or parliament to undertake any legislation until we have the report of that committee.

Mr. W. F. MACLEAN. That may be; but according to the right hon. gentleman I am still in order, and this is the only opportunity I will have to discuss the question, because it does not follow that the report of the committee will be presented, or even that a motion will be made to adopt it.

Mr. ZIMMERMAN. I take exception to the remark that the report may not be presented, because there was a motion in the committee that it should be presented.

Some hon. MEMBERS. Order.

Mr. W. F. MACLEAN. I shall only take a very few moments in bringing this very substantial grievance before the House and country and in urging that we should pass legislation to remedy it.

Mr. A. JOHNSTON. I desire to know, for my own information more particularly, whether a subject which has been referred to a special committee of this House can be discussed by this House before the report of that committee is submitted. The hon. gentleman may say he is not discussing that report or the special matters submitted to the committee, but there can be no doubt that he is.

Mr. SPEAKER. In so far as this discussion was in anticipation of the report of the committee, I declared it out of order; but when the hon. gentleman says he is not discussing the report of the committee, I am bound to accept his statement.

Mr. W. F. MACLEAN. These two substantial grievances exist as are shown by the finding of the Railway Commission. In view of the fact that the government submitted this question to a committee, and in view of what has happened in connection with the Railway Commission, the government ought to introduce legislation this session. It is all very well to procrastinate, but parliament is supposed to be an engine for removing public grievances and not for continuing them. Various devices are resorted to for the purpose of delaying legislation which is necessary in the public interest, but the quick way of dealing with this question is for the administration to take the example set in Wisconsin. Let them instruct the Attorney General to report whether a telephone company is a common carrier or not; and if he reports that it is, let the government introduce legislation which will remove the grievance. There is no need for a parliamentary committee or an elaborate inquiry if the government want to take action. But their policy apparently is to delay action on the plea that they want additional information. What we want is not more commissions or more laws, but an effective administration of the law as it exists. For years in the United States there was no way of removing the grievances existing there, until they had an active president who saw that the existing law was enforced and who compelled the grafters and monopolists to do better by the public than they had been doing. In view of what has taken place in connection with telephones, it need not have taken the government more than five minutes to remove these grievances, and that without doing injustice to anybody. In the meantime there is no remedy, but instead we have great expense incurred in appointing commissions and holding investigations. Let us adopt the American method. There are some things we can learn from the United States. They have a grand jury system and

an executive who will put the law into force. We have a law in this country to-day that will deal with these grievances; but instead of applying that law we are allowing the present condition of things to continue, and the result is that the Bell monopoly is strengthening itself everywhere. The people were very much interested in telephone extensions, but they knew there were two great obstacles in the way. The refusal of the railway companies to allow the telephones of other companies than the Bell into their stations was one grievance, and the other was the refusal to interchange traffic. These prevented the extension of telephone development in this country. The telephone development of the United States is one of the marvels of the century. The way independent telephone systems are being spread all over that country is most marvellous. But in this country telephone development has been arrested by reason of the monopolistic position of the Bell company and its connection with the government.

Mr. A. JOHNSTON. How does the hon. gentleman know whether these conditions which exist in the United States exist in this country or not?

Mr. W. F. MACLEAN. I have heard something in another place in this House. Does the hon. gentleman want me to violate the rules of order? Is that the idea of statesmanship that comes from the east?

Mr. A. JOHNSTON. I would like him to be frank.

Mr. W. F. MACLEAN. I will give you an instance in which the public interest was attempted to be interfered with in connection with the telephone. There is a powerful express system in the United States, which tried to interfere with an independent telephone company in a certain city. In order to favour the Bell company, they ordered the independent company to take their instruments out of the offices, and the next morning it was thought the public would not be able to tell the express companies to call around for parcels. The four express companies joined in having the telephones removed. But the telephone company was equal to the situation, and public opinion was equal to the situation, and within two days the express companies had to withdraw their order and were glad to put the telephones back in their places, so that the service to the public was continued. These things are going on in this country every day. Certain combinations are seeking to stop the progress of development in independent lines. The farmers of this country want their own independent lines, and they want the Bell company declared to be a common carrier which must interchange traffic with them. And in asking for this, they are asking for nothing but what is right. And they would get it, under the law as it is to-day, if we had a government that was alive to the interests of the people. But the right hon. Prime Minister (Sir Wilfrid Laurier) is at the head of the government that gives to the farmers husks and chaff instead of grain. This government gave a Railway Commission that costs $75,000 to $100,000 a year; and, while the commission does away with some of the grievances that are brought before them, they are not able to remove this grievance, either because of the state of the law or for some other reason. What we really need to-day is an Attorney General, a Minister of Justice, such as they have in the United States, who would give an opinion that a telephone company is a common carrier, and therefore bound to give everybody equal treatment and equal facilities. The Prime Minister ought to see to this. And, even if he has not time this session to change the law, yet, with the powers he now has, he could remove this grievance. He could do it through his Attorney General, as I have suggested. Or he could do it by simply giving a hint to these railway companies, simply a little note from the Prime Minister—as I have often suggested to the hon. gentleman before—that this inconvenience to the public ought to cease. Such a hint would not be lost. I heard Sir Thomas Shaughnessy, head of the Canadian Pacific Railway, say the other day that that company were prepared to obey the law, and, in substance, that they were not quite doing the fair thing by the public when they exclude them from their stations, but that they had made a contract and had to keep it. So what is wanted is not a special committee of the House or a railway commission, but more energy on the part of the government. But evidently the intention is to keep the Bell Telephone Company in its monopoly.

Now, let me point out another thing. When this clause was put in the Railway Act, it was only after I had fought for it time after time. And at last I charged, perhaps with some warmth, that the then Minister of Railways and Canals was president of the New Brunswick Telephone Company. That gentleman repudiated that charge, and the Prime Minister (Sir Wilfrid Laurier) spoke rather warmly in reply to me for making what he called indiscriminate charges. But I read in the papers the other day that this man who brought in this clause, who promised that it would give relief, and stated that he was not identified with the New Brunswick Telephone Company—which is the New Brunswick end of the Bell Telephone Company—I say I read in the papers, and I know the thing to be true, that this man went down there as president of the New Brunswick Telephone Company. That does not look well before this country—that the man who introduced this law and promised that it would effect a certain purpose, should so involve it in

legal technicalities that it was ineffective. And now it has developed that when he was in this House and proposed this legislation he was in intimate relations with the Bell Telephone Company. Now, that may be merely an incident; but it is one of many incidents seen in this country, and indicating that we must face here a menace that they must face in the United States. And they have a very short word in the United States to cover these conditions—'graft.' We must deal with these conditions. We need a government that will realize its responsibilities and will not fear to act. I have nothing against the Bell Telephone Company, except in so far as it is doing something wrong and something against the public interest, something that a company enfranchised by the people should not do. Let it treat the public fairly, and I have nothing against it. I have no cause to maintain that should lead me to oppose public corporations, but I have the right to point out where they interfere with the public welfare. And, as I say, if we had a government that was alive to its responsibilities and equal to the occasion, there would be no necessity for these expensive commissions and committees. I trust the Prime Minister will find the way to introduce two short clauses this session which will compel the railway companies to admit telephone companies to their stations and will declare telephone companies to be common carriers and so bound to interchange business. Even if the Postmaster General (Sir William Mulock) should have a proposal to establish public ownership of the telegraph and telephone lines, or to have legislation enacted regulating telephone and telegraph companies, the Prime Minister can still do good by having these two Bills passed this session. And he will probably have the support of an important committee of this House in doing it. This is the quick and easy remedy, and it is something the people of this country require from this government and this parliament.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister). I think my hon. friend (Mr. W. F. Maclean) is very hard to please. I think that he is also somewhat inconsistent. He stated that he wanted no new laws, but simply to have the present laws properly applied. But before he ended his speech he wanted two new laws passed this very session. Again, he said that we had plenty of information on this subject and needed no costly commissions or committees to investigate. But at the present time we have a committee on this subject, and, if rumour is correct, and if I read the newspapers correctly—and one newspaper especially—the hon. gentleman (Mr. W. F. Maclean) has taken a very important part in that committee. Evidently he thinks that we need a very great deal of information on this subject. I think he will not be offended then if I say we should have the report of this committee before we introduce legislation on the subject. We were serious in appointing the committee, and upon its report we will be prepared to act.

PROVINCIAL STOCKS AS TRUST INVESTMENTS IN BRITAIN.

Mr. R. L. BORDEN. Before the motion is carried, I would ask the Prime Minister to bring down any correspondence or communications of any kind including copies of resolutions relating to requests by provincial governments in Canada that this government should give certain assurances or make certain representations to the imperial government under the terms of the Colonial Stock Act, 1900, so as to enable provincial stocks to become authorized trust investments in Great Britain. I do not know whether the right hon. Prime Minister (Sir Wilfrid Laurier's(attention has been directed to this matter or not.

Sir WILFRID LAURIER. I know that we have had correspondence on the subject.

Mr. R. L. BORDEN. I have a copy of resolutions passed by the provincial legislature of British Columbia and I understand that similar resolutions have been passed by the provincial legislature of Manitoba—in which they recite that:

> Under the provisions of the Colonial Stock Act, 1879-1892, as amended in 1900 (imperial), the powers of trustees in the United Kingdom, have been extended, and provision has been made for the investment of trust funds in colonial securities, under regulations to be made by the Lords Commissioners of the Treasury.

The commissioners of the Treasury Board made certain regulations, an important one of which is the third, which requires that the colonies desirous of obtaining the benefits of said Act must observe the following conditions:—

> Place on record a formal expression of their opinion that any of their legislation which appears to the imperial government to alter any of the provisions affecting the stock, to the injury of the stockholder, or to involve a departure from the original contract in regard to the stock, would properly be disallowed.

The difficulty arises in this way, that this government, not the imperial government, exercises the power of disallowance over provincial legislation. Therefore, before any colonial stock can be placed in the category desired, it is necessary that this government should give to the imperial government an assurance that this government will exercise the power of disallowance in respect of provincial legislation along the lines and in the manner which is laid down by the regulations of the Lord Commissioners of the Treasury. I understand that the legislature of British Columbia has been agitating with regard to the matter

for some time, and that it has passed a resolution, of which no doubt the Prime Minister has a copy, if he has not I can send him one. A similar resolution has been passed by the legislature of Manitoba. I am not advocating any action by the government at the present time, I am asking purely for information. I would like the government to bring down all correspondence on the subject, and if it is practicable to do so before the end of the session, that the government should state whether they have arrived at any conclusion, and if so what conclusion, as to the action they will take.

Sir WILFRID LAURIER. The subject is a somewhat complicated one, and we have had it before us several times. I think the correspondence took place before we came into office. If my hon. friend will put a notice of motion on the paper, we will take it up on Monday.

WINNIPEG TERMINALS — GRAND TRUNK PACIFIC CONTRACTS.

Hon. GEORGE E. FOSTER. I would like to ask the Minister of Railways if he could answer a couple of questions that I intended to put last night when the item was going through in the estimates. One question is as to what action the government have taken in the matter of the Winnipeg terminals, and whether such action had the concurrence of the Grand Trunk Pacific management, and I would like to see the correspondence with the Grand Trunk Pacific Company and its officers on that point. The other question was as to how soon the government expects to be in a position to award contracts on their part of the work, the eastern end of the line; and whether any agreement has been arrived at with the Grand Trunk Pacific as to the method in which the work should be done, subject to joint supervision and inspection, and acceptance by the chief engineer appointed by the government and the chief engineer appointed by the company, as provided by section 7 of the agreement of July 29, 1903; and the correspondence with the officers of the Grand Trunk Pacific and the commissioners on that subject. I hope we may get this before concurrence.

THE AUDITOR GENERALSHIP.

Hon. GEORGE E. FOSTER. I wanted to bring up the matter of the Auditor Generalship. I have not given notice to the Minister of Finance, and if he objects, I will take it up to-morrow, just as he pleases.

Mr. FIELDING. Does my hon. friend want information concerning the department, or with a view to a general discussion?

Mr. FOSTER. I want a little discussion.

Mr. FIELDING. Perhaps it would be better to take it up to-morrow on the motion for supply.

Motion agreed to, and House went into Committee of Supply.

Public buildings—chargeable to capital—Ottawa Astronomical Observatory—fittings, furniture and transit house (revote, $20,000), $40,000.

Mr. HYMAN. The observatory building is completed; the total cost so far has been $90,421. This is for the transit house and for a house for the astronomer as well.

Ottawa parliament buildings—additions to building and alterations, $100,000.

Mr. HYMAN. This is, in the first place, to make an addition to the library. The committee of the library have for a long time complained of the lack of accommodation, and we propose to afford additional accommodation by raising the roof over the reading room, according to a plan submitted by the Library Committee. In addition to that, there have been many complaints on the part of members of a lack of accommodation. It is proposed now to extend the western wing of the building we now occupy, from the Speakers chamber, 112 or 115 feet. I shall be glad to consult the committee, or members of the opposition, at any time with regard to the interior fittings of the addition, and the uses to which it shall be put.

Mr. FOSTER. This is a very important matter. In the first place, there is the question as to what will be the architectural outline of the building that is proposed, and its effect upon the present structure. That is a matter no doubt for the architects to decide, though I have not much faith in them, considering past experience. But there is a more important point than that. How long are we going to be cooped up as a House of Commons in this dry goods box, in hot storage? And are we ever going to do anything towards making a liveable place to work in for the people's representatives, who are spending now about six months of each year here? Is it not wise to make up our minds to do that at once, instead of spending hundreds of thousands upon remodelling, and additions to this present building? For I imagine that when you build a house for the accommodation of members of parliament, accommodations for the members in their individual capacity should be closely attached to that chamber. The rooms and the like of that would not be of much use to members if you had to pass away, over and across somewhere to get to them. I hope you are going to provide reasonable facilities to enable the members to do their work; and that they

should be in close proximity to the chamber where their public work is carried on.

Mr. HYMAN. The proposed addition will be closer to the chamber than Room No. 6 is to this chamber.

Mr. FOSTER. But that is the very point. I question the advisability of remaining in this chamber any longer than is necessary to make proper arrangements for a convenient and workable place for the sessions of this House. Of course, if the ministry are determined that we shall continue to meet in this chamber and they agree that we should have proper accommodations, let us thresh that matter out. Then, if we reach the conclusion in favour of the addition, go on with your addition. But what I am saying is based on the assumption that this is not a proper place for us, that it is making too great draughts upon the health and lives of the representatives of the people to be cooped up in this place; that we should have a proper place for the prosecution of the public business. Where are we to have the new place for our sessions? I do not know. But I am clear in my opinion that any accommodation for the members in their work ought to be provided in close proximity to the chamber in which the House of Commons meets. I do not see the propriety of building expensive additions to the present place until it is definitely settled, after full consideration, that we are to remain in the present chamber. I thought from what the Prime Minister said in a discussion we had the other day that there was some sense of responsibility in making the members of parliament continue longer than is necessary their work in this chamber.

Mr. SAM. HUGHES. So far as the ventilation of this chamber is concerned, that is not as difficult a matter as some seem to think. A little bit of energy and brains on the part of the architect, and it will be easy to keep this room filled with warm fresh air in winter and with cool fresh air in summer. And the cost need not be very great. The air in this chamber could be entirely changed in a minute, if a proper system were adopted. If the Minister of Public Works can not find in the department the architect or engineer who can do this work, let him consult men of these professions outside.

There is another point in connection with these buildings to which attention should be called. The post office connected with this House belongs to prehistoric times. It even antedates the old Liberal-Conservative regime. I trust the minister will have a set of boxes put in, lock-boxes of convenient size, so that a member can go and get his mail without having to wait at a wicket, as people have to do at the post office of a country village.

Mr. FOSTER.

As to the addition to the building, I do not regard that as a matter of great importance. One thing I have always opposed, and that is having these private rooms for members. Let there be for each party a large room for reading purposes, and adjoining that, an even larger room with a desk for each member, arranged around the walls or in any other way; a place where members can carry on their correspondence.

Mr. ARMSTRONG. I understand that the chief messenger has nine or ten rooms downstairs. I think arrangements could be made that members might have these rooms.

Mr. HYMAN. In the cellar ? Some members would object to that.

Mr. BERGERON. My hon. friend (Mr. Hyman) was not here when I brought up the subject, which I may mention again. It related to the ventilating of this chamber. I am informed that a gentleman offered to provide means whereby this chamber could be ventilated and kept at any desired temperature, guaranteeing such satisfaction, or if he did not do the work well and satisfacily he was not to be paid. And this offer was refused. I refer to Mr. Manny.

Mr. HYMAN. The hon. gentleman (Mr. Bergeron) has been misinformed. The gentleman he refers to came to me and proposed to make a contract for $25,000 for which he would undertake to give us proper ventilation. I did not think that was a contract that any Minister of Public Works should enter into without investigation as to the cost of the work or what the government might require for his invention or knowledge. So I asked him to submit plans and specifications.

Mr. BERGERON. That is not in accordance with the information I have. I understand the gentleman was asked how he intended to do this work, and he said he did not intend to give away his ideas. But I understand that he said that he would ventilate the chamber on condition that he should not be paid unless the results were satisfactory, and if called upon to do so he would put everything back in the order in which he found it. He told me that some of the engineers of the department asked him what he intended to do, but this would be giving for nothing the very knowledge that he proposes to sell. He is far from being a fool, and naturally he would not give away his plans. But it seems to me the government would run no risk in accepting his offer.

Mr. BARR. I would like to ask how long a member must be in this House before he begins to share the privileges of the House with the others ? In other places where I have been, the mere fact of membership places one on a footing of something like equality with his fellow-members. But I have not been able to get a desk, a seat

in any room, or even a box—nothing except my place in the chamber here and a right to enter room No. 6. But No. 6 is a very small room and much crowded, and there is no opportunity there for one to write. I would like to have my claim recognized as a member of this House and have some such advantages as other members have. I would like to know whether one has to serve an apprenticeship of so many years before his claim is recognized. I think that the young members of this House are entitled to some consideration.

Mr. SPROULE. The close proximity of this chamber to the library makes it desirable that it should be retained as our meeting place if reasonably possible. The great question seems to be one of ventilation of this chamber. In speaking of this I speak from the standpoint of the medical man and one who has given a little attention to the question of ventilation. From the day when I first entered this chamber it has seemed to me that if the architect had endeavoured to devise the system most unlikely to give good ventilation, he could hardly have done this better than in the system that we now have. The idea of bringing air a considerable distance through subterranean passages where, year after year there must be greater collection of putrid matter, at least, of matter undergoing change and then expecting to have that air pure. All the laws of ventilation seem to me to have been entirely neglected. One of these laws is that it is necessary to have some outlet for the heated air in a chamber, and, as heated air always goes upward, the natural outlet is above. Where is the outlet over this chamber ?

Mr. HYMAN. If the hon. gentleman looks up, he will see several in the ceiling of the chamber.

Mr. SPROULE. There is no outlet in the ceiling of the chamber that I know of. The statement was made a short time ago by my desk mate that the party he referred to proposed to change the air rapidly. A rapid change of atmosphere is not wholesome, and would not be proper. But the party who proposed to do this seems to fear that his invention might be pilfered in some way or other. If his system is patented like the Smead-Dowd system, no one can steal the result of his brains. But I agree with the Minister of Public Works that it would be both unwise and unbusiness like to let any man take over the contract to ventilate this chamber, without his being able to show that buildings similar to this have been easily and properly ventilated by his system. As long as we continue the present system of drawing air into this chamber through subterranean passages, you can devise whatever system you like, and it will be imperfect. It does seem to me that it would not be a very great task to devise a system which would effectually ventilate this chamber.

Mr. SAM. HUGHES. The chief thing in ventilation is volume. I made no remark about changing the temperature suddenly. What I said was that you could have either a freezing temperature or summer heat, and I again press on the minister to take the precaution to have the different systems investigated, and then have proper machinery to drive in the fresh air, and he can have it disinfected or not as he chooses. The main thing is to have a sufficiently large body of air that will be fit for us to live in.

Mr. SPROULE. The hon. gentleman contradicts his own statement. He said at the last that it was change of air that was wanted, and he first said that it was only volume. You must have a current to carry off the exhalations of the lungs with which the atmosphere is charged, and which are composed largely of carbon, and have fresh air take its place. What I object to is bringing the air in by means of underground passages. You cannot have pure air and good ventilation in that way.

Mr. W. F. MACLEAN. The suggestion I would make on the lines of what has been said by the hon. member for North Toronto (Mr. Foster) and the Minister of Public Works is this. If there is to be an extension to the west, the architect ought to keep in mind the new chamber which the hon. member for North Toronto thinks we ought to have, and which would be west of that again, so that the two will fit in together and there will be no waste of money when the larger idea is worked out later on.

Mr. HYMAN. I concede that the ventilation of the chamber is a very important matter. I do not think it should be attended to by a contract with an unknown party for a system which has never been applied before—a system that may or may not be good. I think it is the duty of the department to get the best talent that can be got, not confined to the department, to take up the question. If the House will leave the matter in my hands, it will be attended to.

Mr. ARMSTRONG. Might I suggest that the minister send some competent man to examine some of the buildings of the boards of trade and stock exchanges in the United States to see how they are ventilated ?

Mr. HYMAN. My instructions to the officers of the department will be to thoroughly look into the matter and ascertain the best system.

Mr. R. L. BORDEN. I have not any technical knowledge of these matters, but it struck me, looking at the new addition to the western block, that a good deal of wall is being constructed for the accommodation that will be provided. That, of course, is a matter for the architect, and I am only making the suggestion. There is one matter which has been mentioned before, and it is this. If our buildings, the eastern and west-

ern blocks, were constructed according to modern methods, they would accommodate perhaps a hundred per cent more men than they do at the present time; and I would suggest that in the additions which are being made, these methods be observed.

Mr. HYMAN. I feel quite as strongly as my hon friend the leader of the opposition does in regard to that matter. We have arranged several public buildings in the modern method, by which the officers, instead of each occupying a room, work together in one large room. It would be a serious undertaking to re-model the whole of these buildings on this line, but some day we may do that.

Ottawa departmental buildings—additions to eastern block, $75,000.

Mr. HYMAN. This extension is principally for the Finance Department, to provide better vault accommodation. I think a part of the extension will be available for the Auditor General's Department, or for other departments that may be there.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Georgian bay to Montreal, survey for waterway via French and Ottawa rivers, additional amount including payments authorized notwithstanding anything to the contrary in the Civil Service Act, $70,000.

Mr. SPROULE. What progress are you making with this survey?

Mr. HYMAN. The actual survey work we expect to have completed by September, but after that there will have to be a gathering together of the information and the engineers notes and consultations. One party may have to be kept to be sent out for additional information.

Quebec hospital for treatment of immigrants suffering from trachoma and kindred diseases, in Savard Park—reconstruction of building destroyed by fire, $30,000.

Mr. AMES. When was that destroyed, and what was the value of the previous building and the amount of insurance?

Mr. HYMAN. The previous building cost about $25,000. We never insure government property.

Owen Sound, Ontario—public building, $10,000.

Mr. BENNETT. What is to be the total cost?

Mr. HYMAN. The estimated cost is in the neighbourhood of $75,000 without the site.

Mr. SPROULE. This is for a post office and custom house?

Mr. HYMAN. Yes.

Mr. SPROULE. Is it known where it will be erected?

Mr. HYMAN. No.

Mr. BLAIN. I hope the minister is keeping in view the advisability of having more land around these public buildings. The late government were remiss in this respect that they had a large number of public buildings erected on very small pieces of land. It is important that a proper site should be purchased, even at the expense of a little more money, so that the building may be a credit to Canada and the government. I would rather see more money expended on the site and a little less on the building.

Mr. HYMAN. The difficulty is that the site must be convenient, and you may not be able to get a site convenient to everybody of the dimensions you would like. There may be a very important building next to it which it would cost a great deal of money to remove. Our difficulty is to get the ground in a suitable place. I quite agree with the hon. member for Peel (Mr. Blain) that in all cases there ought to be a considerable amount of room around these buildings. But when the people of the town are unanimously in favour of a certain location, it is almost impossible to erect the building in some place where the site would be larger, but not so central.

Mr. SPROULE. I think that this is all right and that coming at this moment it is not a moment too early because they really need a good public building there. I have no doubt that we can get a suitable site provided we pay enough for it. There will be no difficulty as to getting a good site.

Mr. SAM. HUGHES. I would impress upon the hon. minister the necessity of following the American system of having a certain distance, 100 feet or 200 feet, between a public building and any other building. Everywhere in the United States the government allow a certain distance to intervene between a government building and any other building. I forget the distance at this moment, whether it is 100 feet or 200 feet, but I think it is a very wise precaution. In one of the United States cities recently they experienced great difficulty in getting a suitable site at a fair price just the same as we do in Canada. A lot of men had sites to sell and the whole town petitioned to have the public building which was to be erected in a certain locality. Yet, another site in another portion of the town was selected and the whole town was satisfied. I think there is hardly a town in the Dominion of Canada where we could not follow the same course. In every town there is always one wing irrespective of political parties that wants a public building placed in one situation and another wing which favours another site. Perhaps some person may have a site to sell and in this and other ways efforts are made to influence the selection. Let the minister

lay down his line and he will bring the people to him.

Ottawa departmental buildings—fittings for savings bank branch, Post Office Department, $30,000.

Mr. BLAIN. When will the Ottawa post office be completed ?

Mr. HYMAN. We hope to have it completed by December.

Orillia public building—alterations and improvements, $4,500.

Mr. BENNETT. What is the nature of these intended improvements ?

Mr. HYMAN. This amount is for the general delivery screens and for new boxes.

Mr. BENNETT. Are the boxes to be moved back and more space made in front ?

Mr. HYMAN. This is a matter which comes under the Post Office Department. They always give us a plan.

Neepawa—public building, $2,000.

Mr. BENNETT. What is the intended cost of this building ?

Mr. HYMAN. The department estimates it at $12,000.

St. Boniface—public building, $5,000.

Mr. BENNETT. And this one ?

Mr. HYMAN. In the neighbourhood of $15,000.

Winnipeg—customs examining warehouse, $100,000.

Mr. BLAIN. What about this ?

Mr. HYMAN. We have received a request from the Customs Department to place a sum of money in the estimates to start the erection of a public building for examining warehouse purposes. We are building at the present time a new post office in Winnipeg and the intention is to use the old post office building for custom house purposes. It will be necessary to have an examining warehouse either immediately attached to the post office or within a reasonable distance of it. I imagine that this amount will be required for the purchase of a site.

Winnipeg—postal station north of Canadian Pacific Railway tracks, $20,000.

Mr. SAM. HUGHES. What is that ?

Mr. HYMAN. This is a substation in the north end of Winnipeg.

Mr. SPROULE. Is that going to be the full cost of it ?

Mr. HYMAN. Those who are aware of the character of the city know that is practically a post office. It is a long distance from the other post office, across the Canadian Pacific Railway tracks, and I think we will have to put a building up there which will probably cost $30,000.

Mr. SAM. HUGHES. What about Fort Rouge ?

Mr. HYMAN. We are doing them gradually, or at least trying to.

Winnipeg—new immigration building—additional amount, $16,000.

Mr. FOSTER. What is the total cost ?

Mr. HYMAN. This building is nearly finished. The total cost will be $192,000.

Northwest Territories — Edmonton, public building, $10,000.

Mr. BENNETT. What is it intended that this will cost?

Mr. FOSTER. Give us the details.

Mr. HYMAN. I have no detailed estimate. I do not think under all the circumstances, looking at the very rapid growth of Edmonton and taking into consideration the amount of business that is done there that we can erect a building for less than $150,000.

Mr. BARR. What is this building for ?

Mr. HYMAN. The building I am speaking of is not yet built. I am stating the probable cost.

Mr. BARR. It seems to me that everything in the west points to Edmonton. I do not see Calgary here at all.

Mr. HYMAN. If the hon. gentleman will look up Calgary in the main estimates he will find a large amount of money for the building there, tenders for which are being advertised for at the present time. Calgary has the start because their's is practically going on.

Edmonton public building, $7,000.

Mr. BARR. What kind of a building will that be and what will it cost ?

Mr. HYMAN. There has been no decision reached yet as to whether it shall be a brick or a wooden building. If a wooden building it will cost $10,000 and if a brick building it will cost $15,000.

Edmonton—Dominion lands office, $10,000.

Mr. BENNETT. What is the estimated cost of that ?

Mr. HYMAN. The building proper will cost $15,000 and that will be exclusive of the vault accommodation which is quite expensive to build.

Saskatoon—public building, $5,000.

Mr. HYMAN. I hope to put a building up here for $12,000.

Rideau Hall, including grounds—renewals, improvements, furniture and maintenance, $10,000.

Mr. URIAH WILSON. How much did we vote for Rideau Hall this year altogether, maintenance, repairs and everything ?

Mr. HYMAN. I will have a statement prepared.

Mr. URIAH WILSON. I can tell you it is about $94,000.

Mr. HYMAN. That would not be for maintenance.

Mr. BARR. I can remember when the Liberals talked a great deal about the cost of the napkins at Rideau Hall when the Conservatives only spent $25,000 a year, but now you are spending $100,000.

Mr. URIAH WILSON. I can give you the items for Rideau Hall as I took them from the estimates. In the main estimates there was $25,000 and $8,500.

Mr. HYMAN. That latter amount is an allowance made for heating.

Mr. URIAH WILSON. Yes, and you have increased it $500. Then in the supplementary estimate you have——and $8,000 again.

Mr. HYMAN. That is for last year.

Mr. URIAH WILSON. At page 8 of the other supplementary estimates you have $50,000.

Mr. HYMAN. That is for additions.

Mr. URIAH WILSON. We should have some further explanations of this. I wish the Postmaster General were here because I remember a very strong speech he delivered in this House on one occasion in reference to the money spent on Rideau Hall and the cost of keeping the Governor General in this country.

Mr. COCHRANE. He has changed his mind since.

Ottawa public buildings—elevator attendants, additional amount, $1,800.

Mr. BERGERON. While we are considering these buildings in Ottawa, I wish to call the attention of the minister to the state of disrepair into which the fences around these buildings and the lamp posts, &c., have fallen. You have some beautiful stone for a new building out there and I think you ought to be able to fix these things up, because they look very dilapidated at present.

Mr. HYMAN. I have an item in the estimates to provide for that.

Post office fittings and supplies, $20,000.

Mr. BENNETT. Will these be furnished by tender ?

Mr. HYMAN. Yes, wherever it is possible to purchase by tender, but there are such things as renewals and boxes, &c., which cannot be purchased by tender.

Nova Scotia—Devil's Island breakwater, $2,800.

Mr. HYMAN. The total cost is $6,600. This is to complete.

Mr. FOSTER. Is there a town at that point?

Mr. HYMAN. It is a fishing village.

Mr. FOSTER. What is the population ?

Mr. HYMAN. Between 80 and 100 people.

Round Hill—wharf, $2,000.

Mr. FOSTER. What is to be the total cost of that?

Mr. HYMAN. The estimated cost is $2,500.

Mr. FOSTER. Is that on the sea coast?

Mr. HYMAN. Yes.

Mr. FOSTER. What is the business of the place?

Mr. HYMAN. There is a population served by this wharf in the neighbourhood of 800.

Mr. FOSTER. It is a village ?

Mr. HYMAN. Yes.

Mr. FOSTER. What is the population ?

Mr. HYMAN. I understand there are 175 people in the village.

Parker's Cove—breakwater on west side of mouth of stream, $3,600.

Mr. FOSTER. What is to be the cost of this ?

Mr. HYMAN. This is the total cost.

Mr. FOSTER. What is the purpose of the expenditure there?

Mr. HYMAN. This expenditure is asked for the construction of a breakwater on the west side of the stream. The intention is to extend the shelter which is given by the present breakwater.

Mr. FOSTER. What is Parker's cove ?

Mr. HYMAN. A fishing village.

Mr. FOSTER. What is the population ?

Mr. HYMAN. 250.

Battery Point breakwater—extension, $2,000.

Mr. BENNETT. Is that the total cost ?

Mr. HYMAN. $4,800 is the estimated cost of this.

Mr. FOSTER. What is the reason of the work there?

Mr. HYMAN. This is an extension of the breakwater already there.

Mr. FOSTER. What was that put there for ?

Mr. HYMAN. For the purpose of giving protection to the fishing fleet.

Mr. FOSTER. What is the population of the village?

Mr. HYMAN. About 300 people.

Phinney's Cove—breakwater, $3,000.

Mr. FOSTER. What will be the cost ?

Mr. HYMAN. There are two estimates depending on the breakwater of the work—one of $14,000 and one of $6,000. The department has not yet decided which will be adopted.

Mr. FOSTER. You are taking a vote.

Mr. HYMAN. We are taking a vote of $3,000.

Mr. FOSTER. Do you not think you should be able to state what you propose to spend there?

Mr. HYMAN. There will not be a contract entered into at the present time for more than $6,000.

Mr. FOSTER. What is the population at Phinney's Cove?

Mr. HYMAN. There is no protection of any kind there?

Mr. FOSTER. What is the population ?

Mr. HYMAN. About 300 people.

Mr. FOSTER. A fishing village, is it ?

Mr. HYMAN. Yes.

Mr. FOSTER. What is the purpose of it?

Mr. HYMAN. There is no breakwater protection of any kind and this is for the purpose of providing a protection for the boats.

Mr. FOSTER. Is it the policy of the government to undertake that kind of work all around the coasts of this country ? What is the policy of the government about it, and where do they suppose it will end? I think this whole business is rapidly degenerating into a scandal, nothing more nor less.

Mr. HYMAN. In so far as the recognized policy of the government is concerned, it is impossible to have exactly the same kind of policy for every item of this kind. In the province of Ontario where railways extend practically over the whole province, and in the province of Quebec a work which might be justified in Nova Scotia probably could not be justified to the same extent. The people on these coasts make their living practically by fishing, and where there is an aggregation of boats and a congregation of people along the shores as far as I am concerned, I think it is only right that we should provide a certain amount of protection. I have always tried in granting these votes to take these matters into consideration and to see that the expenditures should not be larger than is justified by the number of people to be benefited by the work. I do not know that you could lay down any hard and fast policy in regard to that. Each case is different, and must be judged solely upon its merits.

Mr. FOSTER. That is tantamount to saying that the government has no policy at all.

Mr. HYMAN. It is tantamount to saying that the government cannot lay down one policy to fit every single case.

Mr. FOSTER. Every single case calls for a special policy. How many fishing vessels ply in and out of that harbour? Let us get down to the facts of the case.

Mr. HYMAN. Twenty-five or thirty boats.

Mr. FOSTER. How many men are there to a boat?

Mr. HYMAN. Two or three men to a boat.

Mr. FOSTER. What is the report upon which this expenditure is made? I suppose there is no expenditure made unless the officers of the department make a thorough report upon the matter? Let us have the report of the engineers who have been sent there.

Mr. HYMAN. There is a report. I have not the complete report with me, but I should be very glad to get it. The report is on file.

Mr. FOSTER. This thing is growing to most extravagant proportions. There is nothing left now, it seems to me, for a province to do and you are rapidly getting to the point where there is nothing left, if it is politically expedient that something should be done, for a municipality to do. It only has to go a little wider on the same lack of policy that the government have in reference to this matter until you take up as you have done in that and other provinces private individuals and put the money of this government behind them for their own private benefit. This case of the Lovell wharf was one of them, a most glaring case. In former times it was supposed that the provincial government had something to do with these things, but the provincial governments are being relieved from them all. The provincial government does not now, it seems to me, in some of the provinces. get a chance to put a wharf on a little river. The smallest rivers are invaded and public money is spent for small wharfs. Anything in the nature of a landing place along the river for altogether local traffic is encompassed as well. Does not the government see that by proceeding in that way with an entire lack of policy it becomes merely a matter of political patronage and this immense vote in Nova Scotia, such as has been granted for several years, is nothing more nor less than pap which is supplied by the government for political support.

Under no principle at all can that be justified by a general government. Fancy the government of the United States, who are quite as democratic in their system as we are, undertaking to build $200 or $300 breakwaters up to $3,000, $4,000 and $5,000 wharfs and piers, on rivers which have

little or no navigation at all. What do you suppose would be the reception which would be given to a proposal like that in the United States Congress? The general government devotes its expenditures to large works where the general business of the country is involved, and local matters of small moment are undertaken by private parties, by corporations and municipalities, or by the local governments. Here in Nova Scotia especially you are not going to allow the individual much scope, from this time out, as long as the present policy is continued. Everything is undertaken by this government. It commenced well. The Minister of Finance when he first went into this thing, was himself aghast at it; but when it was intimated to him: Oh, well, it is necessary, the people want it, and you cannot get political support unless you give the people what they want—his better resolution failed him, and he became as bad as any other. His late coadjutor, the former Minister of Public Works, was never credited with a very conservative disposition of public funds, if thereby political support was to be gained; and there was quite a divergence of opinion between him and the Finance Minister with reference to that. However, over persuaded at last, the Finance Minister gave way, opened the flood gates, and now, whoever asks for an appropriation, if he is on the right side, gets it, more especially if votes are to be gained by it. These are things the general government ought never to have undertaken. The expenditure is going up, millions upon millions, every year, this government usurping enterprises which ought to be carried out by individuals, by corporations, by municipalities and by provinces. It is a nice thing for the provinces, but it is a demoralizing thing to the country as a whole.

Now what ought we to do? We ought to take up every one of these items and find out what is to be done, what is the size of the stream or port, what business is done or likely to be done by it. How far is it going to benefit those 20 or 25 fishing vessels? Is there no possible way by which fishing vessels can carry on their work without these immense expenditures? You may say that aids and comforts the fishermen, and we may be told that there is a certain amount which was given for the fisheries, and we must take that into consideration. But this all goes to the bounty, They get that directly. Yet this kind of work seems to go on through and through. Surely there must come a time when it will be stopped. Here are steamboat companies running up little rivers. A steamboat company now which is in with the government never thinks of building its own wharfs; it goes to the member, the member goes to the government, and an appropriation is given. It is built, and it is a beautiful thing to look at. I saw not long ago an expensive wharf, costing perhaps $12,000 to $20,000. It lies there to-day in the sunlight, there is not a vessel that touches it, there is not an ounce of traffic over it. Right alongside of it a corporation runs a business off their own wharf, they won't touch this, they get little advantage from it. This property was built by the Dominion, and built against my earnest protest at the time. To-day it lies there rotting. Well, we don't want to spend money unless it is for some public purpose. We surely don't want to spend money in public works for purely patronage purposes. What happens? If you undertake this kind of work in one province you will very soon have to extend it to another. That sort of information percolates very quickly. Patronage is sweet to the patronage hunter, and he will get on to it very quickly. Then you will have to go to work on every little river and lake to build wharfs and breakwaters and landing places. When will this thing stop?

Mr. CAMPBELL. I would like to say a word with reference to the attitude of the hon. member for North Toronto (Mr. Foster) and of the Toronto members generally. Now we have appropriated about $350,000 of the people's money for the city of Toronto alone, and not a word has been said against it, the members from Toronto all say that is right. No matter how much money is spent for their constituency; but when it comes to Nova Scotia, where the people live on the sea, where they have to make their livelihood off the sea, then they object, and harp, and carp because a little $2,000 wharf is built to enable these fishermen to make their living and arrive safely home. I think that is going altogether too far. If the hon. member for North Toronto will be consistent, let him criticise appropriations that are passed for the benefit of his own city.

Mr. FOSTER. That looks very well at first, but let us analyse it. There are certain lines upon which the Dominion government has to expend its money. Take any harbour you please in the maritime provinces, in British Columbia or anywhere else. Here is a species of work which comes to a certain extent under the direct scope of the Dominion government; no other power is sufficient to do it, and this government has to do it. No one was foolish enough to raise an objection to the improvement of Toronto harbour. Hundreds of thousands of dollars are being spent in the improvement of Victoria harbour; a great deal of money is being spent to improve Vancouver. Take the Fraser river, the great line of communi-

cation with New Westminster, we have poured out money like water in order to keep the channel clear. We are doing the same thing with the St. Lawrence river, the same to a certain extent in Halifax, and to a lesser extent in St. John. These are great commercial centres, these works are for the benefit of the country as a whole, for the benefit of its trade and commerce. Point out a wharf in the city of Toronto which this Dominion government has helped. The great steamship companies, the railway corporations do that, and do it cheerfully. But the great works of harbour improvement are done either through commissions or directly by the government. See what is going on in Montreal. No one is foolish enough to raise any objection with reference to that. But when you run out into this kind of expenditure everywhere, not very well regulated or defined, then I raise my voice against it, whether it is in Nova Scotia or in Ontario. I simply take these estimates, not because they are in Nova Scotia, but because the Minister of Finance has unduly extended them of late, and because they are an example of the distance to which we are going in this kind of expenditure. I protest against the extension of this kind of thing to an inordinate degree. If you want to take the coast-line, and you feel it is well that this country should have harbours at certain well-defined places, put them there, but when you come to run into every little river and cove everywhere and expend the moneys of the Dominion, that is a very different thing indeed.

Mr. BENNETT. I enter my protest against the action of the Marine Department in regard to the dock in the town of Midland. The town of Midland was told by the government that if they would purchase a site costing $10,000 including the water frontage and a certain dock that was there with warehouses on it, the government would make the Midland dock a public dock. Last year before any part of the government dock was constructed a letter can be found in the department offering $450 a year for the use of the old dock and the storehouses thereon. This offer was refused by the department and the dock was handed over to a party friend for nothing who have had a years' use of it. The only answer given to the $450 offer was that it would receive consideration. That was bad enough, but this party friend took possession of the storehouse and dock and excluded other business men from it unless they paid high tolls. The people of Canada spent on the Midland dock upwards of $20,000, and the town invested $10,000 on property handed over to the government, and yet the Department of Marine has turned over the whole shooting match, docks and warehouses, to party friends for a paltry $150. That was done on the advice of the man who is counting, or who is supposed to count the quantity of dredging work that is done there. This man on whose estimate they based the rental of the government dock is occupying a great part of it himself as a boat builder to the exclusion of everybody else in the business. The town of Midland asks that the Department of Marine should do the honourable and honest thing, put a wharfinger in charge, fix reasonable tolls and not allow party hangers on to charge prohibitory rates. The Minister of Marine is not here, but I hope the Minister of Public Works will prevail on him to do what the town of Midland wants, and if you are going to rent the wharf then put it up to public tender. You had an offer of $450 a year for the lease of that dock when it was not as large as it is to-day, but you refused that and gave it to your party friends for nothing. The Department of Indian Affairs gives away islands worth thousands of dollars to a party hanger on for a paltry sum, and the Marine Department perpetrates an act such as I have mentioned. It is this kind of thing which makes the people of Canada, irrespective of politics, believe that nothing honest can be expected or that nothing honest will be done by either of these departments.

Mr. HYMAN. I shall be glad to call the attention of my colleague the Minister of Marine to my hon. friend's remarks, but my hon. friend knows that this dock has been transferred to the Department of Marine and is not in the Department of Public Works.

Mr. BENNETT. Part of my complaint is that the Department of Public Works laughed at an offer of $450 a year and gave the dock to a party friend for nothing.

Mr. HYMAN. Do I understand my hon. friend to say that this man was entitled to charge fees on the dock ?

Mr. BENNETT. Certainly, he had the exclusive use of the stores on the dock and got it for nothing?

Mr. HYMAN. This department cannot authorize anybody to charge tolls.

Mr. BENNETT. I have a letter from the department refusing to rent this for $450 a year.

Mr. HYMAN. That may be. We would not have the power to rent. As soon as the dock is completed it is transferred to the Department of Marine and Fisheries.

Mr. BENNETT. I do not care whether you have the power or not. At that time the dock had not passed under the Marine Department. The Minister of Marine is here now and I want to know from him why the Midland dock has been handed over to a firm for $150 a year? I tell the Minister of Marine that that is unfair treatment to the town of Midland.

Mr. PREFONTAINE. I am surprised at the statement of the hon. gentleman because I do not think anything of the sort has taken place. There must have been a commutation made in favour of the concern to which the hon. gentleman makes allusion. It is not the custom of the Marine Department to lease piers but we commute charges in certain cases. We commute the dues of lumber merchants (for instance in the county of Prescott), after making a calculation of how much the use of the wharf is worth to them and we do it also for large navigation companies such as the Richelieu and Ontario.

Mr. BENNETT. This man is a storekeeper.

Mr. PREFONTAINE. I have not the papers here, but I am sure we did not lease the pier. We may have commuted the charges.

Mr. BENNETT. The minister stated this session in reply to a question that on the advice of the local engineer of the Public Works Department this dock was rented to Playfair, Preston & Company for $150 a year. If the department does not intend to place a wharfinger there to collect moderate tolls, then let them call for public tenders and they can get three or four times $150 a year.

Mr. PREFONTAINE. The word lease may have been used, but it is purely and simply a commutation in favour of that company, but they have no exclusive right to the pier.

Mr. SPROULE. Why should you commute dues in favour of one company as against the general public.

Mr. PREFONTAINE. We do it in very many cases and we have a scale for calculating the commutation.

Mr. BENNETT. The man who made the report in favour of giving the lease to this company at $150 a year occupies a large part of the premises as a boat builder to the exclusion of any person else in the same business.

Mr. FOSTER. Has the Minister of Finance any answer to give to my statement?

Mr. FIELDING. I rather object to the suggestion of my hon. friend (Mr. Foster) that by introducing these estimates something new and unheard of has been done. I would like to know whether the hon. gentleman is objecting to the amounts or to the principle involved?

Mr. FOSTER. In some cases the amounts and in some cases the principle.

Mr. FIELDING. Whether it be the amount or the principle the objections of my hon. friend (Mr. Foster) are not well taken. The chief offence as I can gather from his remarks is that these are little places and little appropriations. If we only had the grasp of some other places that would come in and demand $10,000 for a wharf it would be all right, but if we are modest and content with $2,000 or perhaps $2,500 then it becomes a little place and a little appropriation, and the hon. gentleman (Mr. Foster) comes down on us with tremendous force. There are principles involved in this I suppose. The hon. gentleman says it is not the business of this government to provide piers, or wharfs or breakwaters in the little places of the country. Let us look at that general proposition. The great majority of the people of this country, after all, live in little places, and it is the majority who live in the little places who make up a great populous Canada. If my hon. friend will travel through the country and proclaim in all the smaller districts that in order that a place should receive any consideration it must have a large population, such as has the city of Toronto, he will discover that that is a doctrine which does not commend itself to the people in the small places or even in the large places. Look at the items, we find that though the list is long they amount to only $250,000 all told. If we were to propose that to widen a canal in the province of Ontario, no question would be raised about it.

Mr. OSLER. We objected pretty strenuously yesterday to widening the Holland ditch.

Mr. FIELDING. If we were to propose one-quarter of a million or twenty million dollars for the Canadian Pacific Railway, my hon. friend would not object.

Mr. SAM. HUGHES. Or the Crow's Nest Pass.

Mr. FIELDING. In the case of the Crow's Nest Pass Railway a very liberal subsidy was given to the Canadian Pacific Railway, and the country has been handsomely repaid. My hon. friend from Toronto (Mr. Foster) did not always have such a lofty scorn for little things as he has now, when he will only go in for big things. But some of us represent the little people of the Dominion as well as belong to that class ourselves; and we think that after all we should be heard occasionally in our modest demands and get a few thousand dollars appropriated for legitimate services. If we are to deal with the principle of the matter—and I suppose my hon. friend attaches more importance to the principle than to the paltry sum of a few hundred thousand dollars—how can he talk of principle when some of these appropriations are for the repairs and renewals of the very works built by the late government, of which he was a member? Some of the appropriations he condemns as grants to little places are for the repairs to the structures the hon. gentleman and his government put up. What then becomes of the principle involved? I have in my hand the estimates of

1891, and I find a long list of these little places for which my hon. friend then asked appropriations. He did not then sneer at them and say that they were unworthy of consideration because they were little.

Mr. SAM. HUGHES. How many were there ?

Mr. FIELDING. I will give some of the names. The hon. member may think they were great in those days, but have become little since. Here is an item in 1891 for repairs to Cow Bay, $3,150. Cow Bay is an important place, I quite agree with my hon. friend. But the trouble is when we bring something in for Cow Bay hon. gentlemen opposite discover it is a little place. In these days, however, it was very important. Many places very important in 1891 are not at all important to-day. Port George—heavy repairs to pier—to complete, $2,700. This is another place right in the same county as the very item now under consideration. It was not a little place then. The work was not a little work. It was not a work to be done by the provincial government, or a private corporation, or a municipality. No ; it was a perfectly legitimate Dominion work when my hon. friend was in office, but a mean, little, unimportant place when we propose an expenditure of the same kind.

Mr. SAM. HUGHES. That makes two.

Mr. FIELDING. I have others, and my hon. friend can keep check of them. Here is an item for L'Ardoise breakwater, $9,450. This was rather a large item. I do not remember that there is anything for L'Ardoise in our votes, but we have done something for repairs. Then here is another item in 1891 for French river pier, $2,700 ; and in order that there should be no national discrimination the next item is for Irish cove, but it is only $1,080. The Irish are always modest. Then I find another for West Chezzetcook, $6,300. That is a district with which the leader of the opposition and myself are very well acquainted. In those days it received an appropriation of $6,300. But when we want to do something for West Chezzetcook it is discovered that it is a poor miserable place.

Mr. R. L. BORDEN. And you are neglecting it.

Mr. FIELDING. I think it is not getting a good show. The next item is Georgeville wharf, $3,150. What great national harbour was there at Georgeville in 1901? The next item is one which my hon. friend from Antigonish (Mr. McIsaac) will recognize—Cribbin's Point wharf, $6,210. According to my hon. friend from North Toronto (Mr. Foster), you must have a great national undertaking before you can have any justification for expending money on it. And so this great national undertaking at Cribbin's Point received in 1891 an appropriation of $6,210. Stoney Island—which happens to be in my own constituency—received in those days $3,510. I suppose if I should ask an appropriation to repair that very work, my hon. friend would speak of it as one of the smaller places of the Dominion. Louis Head—another place in my own constituency—$3,600. Digby—new pier at the Raquette, $37,170. I begin to think we are too modest. My hon. friend's government gave us $37,000 in one vote.

An hon. MEMBER. We never got the money.

Mr. FIELDING. That is worse still. At all events, we will spend the money. Great Village—this is a fine place, but not one of the great national harbours of the Dominion—received $1,440. Mabou—repairs to pier, $7,560. Cheticamp—dredging, $4,500. Lismore—extension of pier, $1,170. Walton, $4,770. Meagher's Beach, $600. Church Point—repairs to wharf, $1,500. Hall's harbour—repairs, $500. Joggin's breakwater—repairs, $1,000. That breakwater must have been put up in the time of my hon. friend, because in 1891 there was an appropriation to repair it. Pictou island wharfs, $3,000. These were evidently very small when several could be built for $3,000. Abercrombie wharf—to complete, $1,000. Arisaig pier—repairs, $2,000. Bayfield wharf—reconstruction of, $5,000. That wharf must have been there before. East bay—repairs to wharf, $800. Boularderie island—wharf on south side, $1,600. Cape Sable island—breakwater on its southern side, $300. Ogilvie wharf—repairs, $500. Economy—extension of breakwater, &c., to complete, $1,000.

Mr. LENNOX. There is no economy now.

Mr. FIELDING. They had a breakwater at Economy, and we have stood by economy ever since.

Mr. HYMAN. We have six times as much economy, for we are spending $6,000 to their $1,000 on that place.

Mr. FIELDING. Then there is an item for Port Lorne, $1,000. D'Escousse wharf, $4,000. Babbin's cove, $1,000. Devil's island—breakwater, $700. The very same devil and the very same island that is appropriated for in this year's estimates. If the hon. gentleman thinks we are raising this devil of our own, he is mistaken. It is the same old devil that he provided for fifteen years ago. Iona—repairs to wharf, $600. Margaree—repairs to breakwater, $600. Ingonish south pier—to complete, $1,500. Grand Narrows wharf—repairs, $750. Port Maitland—repairs to breakwater and landing pier, $600. West Arichat—repairs to breakwater, &c., $500. Georgeville, $1,000. Broad cove marsh—repairs to pier, $2,500. Barrington passage pier—we are asking some money to reconstruct the very pier that my hon. friends made some years ago. Nyanza wharf. La Have islands to

West Dublin shore, via Crooked channel—boat passage. There were crooked channels in those days. As I am reminded by my hon. friend (Mr. Hyman), there is no vote in these estimates for a crooked channel. There is nothing crooked about them. Summerville pier; South Cut pier——

Mr. SAM. HUGHES. How many altogether?

Mr. FIELDING. My hon. friend (Mr. Sam. Hughes) is supposed to have kept account.

Mr. SAM. HUGHES. But the minister pronounces them so fast that he was running one into the other.

Mr. FIELDING. My hon. friend (Mr. Sam. Hughes) does not know the geography of our province, nor does he understand our pronounciation. But, seriously speaking, there is no principle involved in this matter. We have been for many years assisting in the construction of wharfs, piers and breakwaters on our coast-line. I think that this is reasonable expenditure. We cannot expect to satisfy the people of these smaller places by the statement that it is only in the great cities that money is to be spent. The government must adapt its policy to the public requirements. In my opinion—and I say I speak quite seriously—there is no money that is spent more usefully for the people than the moderate sums spent in these piers and breakwaters, rendering a great service to the fishermen and providing accommodation which it would be impossible to secure in a private way.

Mr. McISAAC. Among these items, there are only six for works in my county, Antigonish. They are: Tracadie, breakwater; Bayfield, breakwater; Cribbin's Point, wharf; Livingston's Cove, wharf; Arisaig, breakwater; and Georgeville, wharf extension. Of these six works, five were originated under the Conservative government when the late Sir John Thompson was Prime Minister and represented the county of Antigonish and my hon. friend from North Toronto (Mr. Foster) was Minister of Finance. Had the hon. member for North Toronto been so critical as he appears to be now, I do not believe that we should have had any of these appropriations for the county of Antigonish—unless we are to assume that he must have been overborne by the stronger man, Sir John Thompson. Perhaps it would not be right for me to say that; I would rather say that the hon. gentleman in those days was more generous and patriotic than he is to-day. He did not object to any of those items then, and I hope that, to save time, he will not object to them now. The five works which were originated in his time of office and on which money is to be spent to-day are in need of repair, and have been so reported by the chief engineer. The only item for a work commenced since his government went out of power is that of $1,000 for Livingston's Cove. But the principle in his time was the same as it is to-day. It may be true that hon. gentlemen opposite did not build breakwaters and wharfs in places that needed them so much as those in which the new ones are being built to-day. But, the principle is the same, and if these hon. gentlemen should come into power again to-morrow they would continue this policy in their own old way. I trust the hon. gentleman (Mr. Foster) will not forget that in the past he provided ways and means for five out of six of the works for my county mentioned in the supplementary estimates.

Mr. SAM. HUGHES. In the list read by the Minister of Finance (Mr. Fielding) there were 51 items which cost $312,000. In the present list there are 158 items for nearly $900,000.

Mr. FIELDING. No, the total is $257,-000. The comparison that the hon. gentleman (Mr. Sam. Hughes) makes shows that there is no question of principle at stake. If his point is that too much is being spent on any of these works, that is a question that should be discussed on its merits.

Mr. FOSTER. The comparison made by the Minister of Finance it may be said, was cleverly made. But he did not exhaust the subject, nor did he give it fair all-round treatment. He read the items, as I understand, for the estimates of harbours and rivers for 1891. But it was not from the estimates he read.

Mr. FIELDING. I read from the Supply Bill.

Mr. FOSTER. The hon. gentleman read from the Supply Bill, which took in the main estimates as well as the supplementary estimates.

Mr. FIELDING. Not necessarily.

Mr. FOSTER. Yes. There were 51 items for the year 1891. But in the main estimates for this year, of which the hon. gentleman conveniently looses sight for the moment, there are 69 items and in the supplementary 92, a total of 161. This makes some difference when it comes to a case of comparison. Now further it is all very well to read out a lot of names and say that for each of these an appropriation was made at a certain time. Of course, you cannot get at the merits of each case without learning something of the details of the work. But my hon. friend (Mr. Fielding) knows very well that at first what the Dominion proposed to do was to look after the great public works of the country, not the small ones. He knows that in the course of negotiations with the government

of Nova Scotia, the Dominion government took over the wharfs and piers which, after a certain examination, were regarded as being important ones, and these the Dominion government became bound to maintain. It was really after negotiation with the Nova Scotia government that the Dominion government took over certain of these wharfs and undertook to maintain them. How many of these, come within the present list some examination will be necessary to show. Now, though you may lay down a general rule, you do not find any government that can adhere absolutely to a rule. But that does not make it less necessary to have the general rule by comparison with which the propriety of the appropriation is to be judged. What I protested against was this new ground of argument—let us call it argument—as to little places and little men as an off-set to this disregard of the rule that there are certain expenditures that the government is supposed to provide for and certain expenditures that the general government is not supposed to provide for, and that which distinguishes the one from the other is that which distinguishes the great from the little. There are little villages dotted all over our country, and certain works are necessary to the happiness and prosperity of the little people who live in them. But that fact does not establish the rule that this government should supply these works. If the government attempt that, they will find themselves ultimately unable to carry on the greater works which it is their duty to provide for. I take it that pressure has been brought to bear and that that pressure has been yielded to, so that to-day there is almost a complete opening of the gates and no real rule of distinction by which these expenditures are to be judged. Just as much money as can be appropriated is given to every place and for the simplest general reasons, if there are any general reasons at all. And the extension is so rapid. Now take these estimates. In 1891 there were 51 different items ; in 1905, 161 different items. The extension, the growth of this item is tremendously large ; you can extend it until you cover every square acre of land around us.

But my hon. friend is not always so modest, he does not always look after the small fishermen, sometimes he looks after those who are larger fishermen, and suddenly, in a burst of anxiety to look after interests, he will bestow a large amount of his money upon some enterprises which do not seem to be for little interests such as he has been speaking of. Take the grant for a wharf, or whatever it was, in the case of the Lovells. That has been debated in this House. What was it ? A gentleman who had influence with the government, came and got an appropriation of money, after he had bought a tract of timber land on the River St. Lawrence for a pretty large price, at a little place of about 314 souls in all, where there was no trade, no general commerce, nothing there except the operations of this gentleman's lumber business, or of some other gentleman's lumber business if the title should be passed over for the proper consideration. The government put into that thing, the first year, $5,000, in 1902, $25,000, in 1903, $36,000, making in all $66,000, at least, paid in cold cash for the building of a wharf on a man's timber limit. It is said that the timber limit did not pan out quite as well as was expected, and that consequently there was an endeavour made to dispose of it, and that it was ultimately disposed of largely because of the valuable asset created there, by public money, of a wharf for private business to the extent of some $66,000 or $70,000. That is another sample of the way public money is expended, without any rule or principle. I should think the hon. gentleman ought to have been thinking of some of these little places in other parts of this Dominion, before he attempted to take out of the Dominion treasury $70,000 to build a wharf on a timber limit to help the gentleman who owned it sell it out at a large advance.

Mr. FIELDING. My hon. friend, is getting away from these estimates, undertakes to discuss something which happened years ago. I do not remember the particulars of what he calls the Lovell case, which I believe is in the province of Quebec ; therefore I will not undertake to answer him on that point. I want to say, however, that I think he is a little mistaken when he speaks of the circumstances under which certain wharfs were taken over by the Dominion government in the province of Nova Scotia. The Dominion government of that day recognized its obligation to deal with these wharfs and piers on the coast, even though they were not in places of great public importance; and the reason was that from the beginning, in the early days of confederation, the local government had already spent moneys on works of that character, but discovering they had not the means of dealing with them, they ceased to make the expenditures, and the Dominion government, in some cases, not by agreement, but voluntarily, took up the work.

Mr. FOSTER. Yes, there was an agreement.

Mr. FIELDING. The hon. gentleman is mistaken, for I conducted the negotiations, and know what took place. After we found that the government at Ottawa had taken these works into their hands and enlarged them, repaired them and improved them, we realized then that we had a provincial claim, and thereupon we set forth in detail our claim for expenses by the local government on public works,

and piers, and breakwaters. An analysis of the amount was made, and a certain sum was allowed to the provincial government for moneys which had been expended upon works which the Dominion government had taken possession of. There were no negotiations for better terms. There was a claim made by the provincial government upon the Dominion government for a refund of moneys which the province spent upon works of that character, and which we claimed ought to be carried on by the Dominion. The Dominion government recognized the principle as regards certain specified works, inasmuch as we were able to show that the Dominion government actually entered into possession of them and spent money on them. Expenditures of this class belong more to the Dominion government than to the local governments, because local governments generally are not in a position to make expenditures of that character as to municipalities. I do not know what is the practice in the upper provinces, but there are very few municipalities in the lower provinces which ever engage in works of that character.

Mr. W. F. MACLEAN. I think I am safe in saying that more has been done during this session of parliament to bring about legislative union than has been done in all the previous sessions. We are undertaking great things that ought to be done by the provinces and by municipalities. We are taking away the rights of the provinces, as we have been doing this session, in very important matters. We are not only taking away their rights, but we are now undertaking to pay bills of all kinds contracted by local governments and corporations. The organ of hon. gentlemen opposite stated in an editorial yesterday that one reason for the length of the session was because this parliament had undertaken to deal with all kinds of provincial matters and to treat them as federal matters. We are paying money for all kinds of local improvements in all the provinces. Well, the end of it must be a legislative union. Provincial rights are going, they are being usurped in every direction by this government, and we are providing a budget for all the provinces. We have already taken away from the municipalities the control of their streets. The result of all these things must be, and perhaps it is not a bad thing, that we will end in legislative union, one legislature to deal with all the affairs of the country. The outcome of it is that provincial rights are going, that legislative union is coming, and that the Liberal party are the apostles of the new movement.

Mr. E. M. MACDONALD. I am sure the hon. gentleman is not able to gather from any legislation passed here this session that we are tending towards a legislative union. My hon. friend himself (Mr. W. F. Maclean) and the hon. gentlemen who sit around him, were brought up in the school of legislative union, they were taught to believe that the best thing for Canada was legislative union. It was one of the shibboleths of his party in his earlier days, and the hon. gentleman himself was taught to believe in it. Now when he comes in the guise of a provincial rights advocate and suggests what things are going to happen, which no one can foresee but himself, one wonders where he and his friends in the Conservative party are going to land. They are evidently straying from the old paths in which they were brought up. I would like to say in regard to the remarks of the hon. member for North Toronto (Mr. Foster) that it is rather difficult to follow him in the sinuosities of his proposals. For instance, he tells us that no expenditure should be made on public works in any direction except in the great harbours of the country, those which are of national importance; and yet he was a member of a government which originated the policy of dealing with harbours of the same character as are dealt with by these estimates.

My hon. friend the Finance Minister has read from the estimates prepared by the hon. member for North Toronto and brought down away back in 1891, in which the government of which he was a member provided for the erection of a number of works that this government are now called upon to repair. If I remember well, in 1896, the vastest estimate that has been was in course of preparation and would have been brought down to parliament were it not that the election came on before the estimate was laid on the table of the House. Consequently it is rather difficult to appreciate just where that hon. gentleman stands. Are those of us who come from down by the sea to understand that the hon. member is so small in his views and narrowed as a Canadian, to the point where he will say that while these expenditures are all right in Ontario they should not be made in Nova Scotia or in the maritime provinces? And my hon. friend talks about little places. There is a reason why all these matters are specially within the purview of this Dominion parliament. Hon. gentlemen will remember the occasion of the fishery award some 30 years ago when the Dominion government received over $5,000,000 as compensation for the fisheries that had been utilized by the American people. That sum of money has been in the federal treasury since that time. That sum of money was obtained as a result of the use by the Americans of fisheries which were primarily the property of the people of the maritime provinces. Had that fund gone to the provincial governments, had they received that money, hon. members might fairly urge, although they have never urged it before, that these matters were specially

within the care of the provincial governments, but that money, being in the hands of the federal government, the only return which is given to the people who live by the sea is, that, although the money really belongs to them, there is a small amount paid in fishing bounties. That being the case, the people of the maritime provinces have the right, and always will have the right, to come to the federal government and have these matters dealt with. But, there is another phase of the situation. No one questions the right of the central government to deal with the erection of lighthouses along the coast. A great many of these works which are provided for in the estimates are quite as necessary for the protection of the lives of the people who go down to the sea in ships and who fish there as are the lighthouses along the coast, because, along the rock-bound shores of our provinces there is frequently no place where fishermen can land in a storm unless at these wharfs or breakwaters which are provided by the government. I submit that while it is all very well to argue about national ports being improved, the federal government have received this money and have the use of it.

Mr. SPROULE. The federal government do not use the money. They give it every year to the people of the maritime provinces.

Mr. MACDONALD. My hon. friend is hardly accurate in regard to that. The only amount which goes to the people of the maritime provinces is a small payment in the way of a fishing bounty.

Mr. SPROULE. That is more than the interest.

Mr. MACDONALD. I question whether it is. I question whether the hon. gentleman is accurate in that.

Mr. SPROULE. I am accurate to this extent, that I was here when the condition was made, and I remember distinctly that the understanding was reached that whatever was realized from that would go back to the fishermen.

Mr. MACDONALD. My hon. friend may have understood a great many things, but we know that the legislatures of New Brunswick, Prince Edward Island and Quebec have appealed to the federal government and asked them to return their proportion of this award, to which they assert their right. I have mentioned here to-day that this fund primarily belongs to the people of these provinces and not to the central government, but that the central government has retained the use of it and has it in the treasury of this country. My hon. friend can not deny, no matter what he may say regarding the division of the bounty about which neither he nor I are speaking with accuracy at the moment, that this fund constitutes an obligation towards the people of the maritime provinces, and that it was in compensation for injury to their interests that it was received. I submit that the erection of wharfs and breakwaters in this portion of the country is an obligation upon this federal government and that at confederation it was recognized by the federal government that they should take over and build wharfs, piers and breakwaters in these various provinces by the sea, and that they should in future take care of them and provide for the erection of new ones. This is rather a late day, after thirty-eight years of national life, for the representative of a party which claims to have laid down the foundations of this system of government and which provided year after year for over twenty years, for the recognition of the principle which this government is continuing, to come forward and say that because these are little places and are not national harbours, the parliament of Canada should do nothing in regard to them.

Mr. SPROULE. I think it is rather an extraordinary argument that the hon. member for Pictou (Mr. Macdonald) puts up when he says that we should incur these expenditures in such a large number of places because of the fishery award which gave Canada $5,000,000 for the interference of the Americans with Canadian rights, which was set apart and which the Dominion government have held in trust, paying over the interest to the fishermen of the maritime provinces. That is the reason, the hon. gentleman says, why we should keep up these harbours and expend money year after year to look after the fishermen. I am not objecting to the expenditure of money to look after the fishermen anywhere in the maritime provinces. But the hon. gentleman says that because we happen to be for the time-being trustees, holding money which they claim belongs to them, we must expend it in this way. The people of the maritime provinces are getting more than the interest on this money. I think, as my hon. friend beside me (Mr. Henderson) said last year, the interest would amount to about $150,000, and they get over $160,000. They get what Canada agreed to give, the interest, they get it every year, and the only question that was raised when this bargain was made was whether the money should go back to them and be divided among themselves or whether it should be held in perpetuity by the federal government and allow them to have the interest upon it. The members from the maritime provinces themselves came to the conclusion that the latter plan would be the better one, it was adopted by the federal parliament, and has been strictly carried out ever since. There has been no injustice done to the maritime provinces, and therefore I do not think that the fact of the proceeds of that award being held

by the Dominion government is any reason why they should have additional harbours constructed in the maritime provinces. In my judgment it is not a sound argument. But, there is another question which is interesting to me, and it is this: When we take up the supply estimates, we find that in the province of Nova Scotia there are 91 places where there are votes providing for the expenditure of money, and that out of these 91 places there are 40 where new works are about to be undertaken. The amount of these supply estimates for Nova Scotia is $257,800. In 41 cases these votes provide for the commencement of new works, the cost of which, when completed, we do not know. These are undertakings that parliament knows little about because the minister has given us very little information in regard to them.

Mr. HYMAN. I am giving you all the information that is asked for, and I am very glad to give all that is asked for.

Mr. SPROULE. We ought to know what the cost of these forty-one new works will be. There is another thing that attracted my attention and it is the coincidence between the fact that Nova Scotia elected a solid contingent of Reformers to support the present government and the fact that so many new works have been undertaken. There are ninety-one places in that province which send members to support the government and to which votes for public works have been given. In poor Prince Edward Island which did not send them back as many supporters, there are only four places where they are getting any expenditures. I suppose it is surrounded by water as well and that there are some poor fishermen who require public works. One would think that New Brunswick would have a large number of harbours that should be attended to, but there are only eight items for New Brunswick ; there are ninety-one for Nova Scotia which sends a solid body to support the government, but only eight for New Brunswick, from which only a few of the members support the government. That is a rather strange coincidence. In Quebec, there are sixty-three places attended to, but in Ontario which is a very much larger province there are only thirty-seven. Ninety-one for Nova Scotia and only thirty-seven for Ontario. Is there not something a little unfair about that ? What explanation has the Minister of Finance to give? I am afraid that the only ground on which it can be accounted for is that so many Liberal members come from Nova Scotia and so comparatively few from Ontario.

Mr. DEPUTY SPEAKER. May I suggest that we return to the item before the House.

Mr. SPROULE. I have been dealing with the expenditure in Nova Scotia and that is relevant to the question before the House.

Mr. DEPUTY SPEAKER. I am merely drawing the attention of the committee to the fact that for a considerable time past we have been wandering away from Phiney Cove.

Mr. SPROULE. I must remind the chairman and the Minister of Public Works too that I am perfectly within my rights.

Mr. HYMAN. Why not address your remarks to the chair; I did not say a word. I just want to say this : I have not been in the department very long, but since I have been I have always endeavoured to pay more attention to the actual need for a public work, than to the particular province in which it may be located. The hon. gentleman (Mr. Sam. Hughes) smiles ; I suppose he does not know what it is to be fair in these matters. My endeavour is to build a public work from the standpoint of the public utility. The hon. gentleman makes an unfair comparison when he compares the number of items for Nova Scotia with the number of items for other provinces. In Nova Scotia, the expenditures are of an entirely different character from those of other provinces. There are a number of small expenditures in Nova Scotia, very small in comparison with the large expenditures in the other provinces. As the hon. gentleman knows, these estimates are made up at the beginning of the year and there are a number of small works in Nova Scotia which we then cannot know have to be attended to, whereas in the case of larger works like in Toronto harbour, or Port Stanley, or Port Burwell, we can form an idea as to what the amounts will be, and so it will be found that in the main estimates there are some large expenditures for Ontario and the other provinces. Taking all the estimates together, I do believe that there is a very fair division of the public money.

Mr. SAM. HUGHES. The minister talks as if he knew something about the harbours of Nova Scotia; why, he cannot mention the county in which one out of every twenty of these is situated.

Mr. LEMIEUX. Can you ?

Mr. SAM. HUGHES. Yes, I can, because I have studied out the matter. I have for many years past taken a map of Nova Scotia and tried to hunt up place after place to see if there was any kind of a harbour along the coast that had not a wharf, and I had to give the job up. There are many places for which we have voted expenditures which cannot be found on the ordinary maps of Nova Scotia used in the schools of that province.

Mr. FIELDING. What does that prove?

Mr. SAM. HUGHES. It proves that you are building public works all over every little place in Nova Scotia. I have no hesitation in saying that neither the population nor the interests of Nova Scotia merit the number of wharfs we have built around these shores. I could mention hundreds of places in Ontario which contain a greater population than you could find along the shores of a whole county in Nova Scotia, and which have had no expenditure of public money at all for public purposes this year. These public works are neglected and you are expending the money on these tu'penny ha'penny places around Nova Scotia. Let the Minister of Public Works get one of his clerks to take a map of Nova Scotia and mark on it the position of the wharfs that have received assistance from this government since confederation, and I venture to say there will not be enough room around the coast line to write the names in. In a little province with the coast line of Nova Scotia we have 161 places attended to this year. The minister talks about his desire to be fair, but he will not pretend to say that he knows more than a very few of these places. He has to take the word of the Minister of Finance and of the hon. gentlemen around him. And the reason why so many of these items appear in the supplementary estimates is that they did not know where they were going to build them early in the session.

Mr. WILLIAM ROCHE. The hon. gentleman from North Toronto (Mr. Foster) has dilated upon the impropriety of expending public money in small places and not expending it in large places. His argument is that small places have no right to the expenditure of public money. Perhaps next session we all may be here and if so we would like to hear the hon. gentleman (Mr. Foster) take an opportunity early in the session to give whatever arguments he can muster in favour of his contention that small places have not a right in proportion to their population to have assistance from the public treasury. Why, these small places should be especially the object of the sympathy of the country. These places that are so slightingly spoken of by the hon. member for Victoria (Mr. Sam. Hughes) can derive no benefit from any other source. They have no railways, no roads, no facilities such as similar places have in the other provinces, and wharfs have to be built to accommodate the traffic. The men who live there contribute to the public treasury and on that ground alone they have the right to receive fair treatment in the matter of expenditure. If you do not carry out such a policy you will simply rob the small places of the benefits they should receive. Let me remind the House that the southern coast of Nova Scotia abounds in harbours; almost every ten miles of the coast has a harbour, and I invite the hon. member from Victoria (Mr. Sam. Hughes) to come down—

Mr. SAM. HUGHES. I have been down there.

Mr. WILLIAM ROCHE. I venture to say you have never been down there.

Mr. SAM. HUGHES. I have.

Mr. WILLIAM ROCHE. I do not think you have; have you ever been at Ecum Secum, have you ever been at Petpeswick harbour, have you ever been in Musquodoboit?

Mr. SAM. HUGHES. I do not think the hon. gentleman has pronounced those names correctly.

Mr. W. ROCHE. If my hon. friend would come down to Nova Scotia and get amongst the fishermen on the coasts of Nova Scotia, he would throw his present views to the wind. He would be the first to get up and say that he was all wrong. The great difference between Nova Scotia and the great province of Ontario is that Ontario has no ocean, so that it does not need breakwaters. Along the coast line of Halifax county in a distance of 120 miles, I suppose you would find fifteen or twenty harbours. If hon. gentlemen will come and see the ocean, and get acquainted with the work of the fishermen, they will never regret offering their vote and support in this House for any of these little grants to enable these men to make a living. It is becoming more and more difficult for the fishermen to make a living at all, and any expedient that can be adopted to assist them should be adopted by a generous and patriotic parliament. The United States government are restocking the fisheries, and in other ways are assisting that class of people. I know that the observations of the hon. members for Toronto, Grey and Victoria are due to their palpable ignorance of the subject. They are informed on professional matters, on military subjects, on surgery subjects, but they know nothing whatever about the sea-coast of Nova Scotia or about the needs of the fishermen. If they came down and got that knowledge, they would return better and wiser men.

Mr SAM. HUGHES. The hon. gentleman has given us an attempted explanation, but he has not told us where one of these harbours is situated, nor how many people are there. He knows that on some of these harbours not a soul is living ; he knows that there are parts of that coast where you can go for miles without meeting a human soul. I understand that there are wharfs built there at which a fisherman's boat has never yet landed.

Some hon. MEMBERS. Where ? Name.

Mr. SAM. HUGHES. I am not called upon to give the name. These places have produced no revenue ; not one dollar of

customs duties has been collected at them. To take a vote of $38,000 for harbours alone I have no hesitation in saying is not in accordance with good government.

Mr. D. D. McKENZIE. As representing a fishing county, it is my duty to say a few words in reference to some of these expenditures which are made on the coast of Nova Scotia. If hon. gentlemen opposite would only visit the small fishing villages along the east coast of Cape Breton, and see the way in which these people have to earn a livelihood, they would be only too happy to help in relieving the situation there. I wish to point out one condition which exists in the county of Victoria, which I have the honour to represent. That county is on the east border of the island of Cape Breton, and is exposed to the full sweep of the Atlantic. We have about 100 miles of coast, and although the hon. member for Halifax says that they have plenty of harbours on the southern coast of Nova Scotia, we have no harbours at all in northern Victoria. For a distance of 100 miles we have only one harbour, St. Anne's. What is the condition of the fisherman ? He goes out in the morning in his boat, fishes all day, and when he comes home at night, he has to take his fish out, dress them, remove the ballast, amounting to perhaps a couple of tons of stone, and haul up the boat on the beach clear of the water. If he leaves his boat in the water, she may be smashed if a breeze springs up in the night. In the morning he has to get his neighbours to help him to put the ballast in and get his boat afloat again. The result is that with these small boats the fishermen can go only a mile or two out to sea to fish. They cannot go to the best fishing grounds at all, which are three or four miles off the coast. The result is that the Americans come with a better class of boats, large schooners, and carry off to the United States the fish which our fishermen should get. I appeal to the generosity of our hon. friends opposite. If they could visit the little villages on the coast of the county of Victoria, and see the men doing this kind of work, I think they would be only too happy to say that something should be done by which these fishermen could moor their boats in the evening, feeling that they would find them safe in the morning. We have only two breakwaters in this distance of 100 miles—one at Ingonish and one at Neill's Harbour, twenty miles farther north. A few of these breakwaters would make harbours for the fishermen, and the hon. member who represented Victoria in this House before and I myself have been trying to induce the government to give us more breakwaters, which will enable our people to build larger boats and place them in a position to compete with their neighbours on the American side who are more fortunate than themselves. When the Minister of Public Works comes down some day in the near future with the appropriation necessary for those breakwaters I am asking for, I hope he will not be characterized as paying so much for our votes in the province of Nova Scotia or be accused of having any other motive than the protection and best interest of our people. I do not like setting up one section of the country against another, nor do I indulge in anything of that kind myself. I hope we are dealing with this subject in a generous way, and meeting the necessities of the country as they arise.

Mr. FOSTER. Let us have the information about this.

Mr. HYMAN. I have already answered all the questions.

Mr. FOSTER. You said the cost would be $14,000.

Mr. HYMAN. That is according to the engineer's report. He says the breakwater can be erected for $6,000, and it might not be necessary to build more than a certain length. I am asking for an appropriation to the extent of $6,000, and if that is sufficient there will be no necessity to ask for any more.

Mr. FOSTER. Have you the engineer's report ?

Mr. HYMAN. No.

Mr. FOSTER. It is not proposed to go beyond the $6,000 ?

Mr. HYMAN. Not out of this vote.

Parker's Cove—extension of breakwater, $3,000.

Mr. HYMAN. This was built in 1883-84. It was originally 200 feet and has since been extended. It will now be extended about 100 feet.

Mr. FOSTER. What is the population of Parker's Cove ?

Mr. HYMAN. About 300 people. It is a fishing village.

Mr. FOSTER. Do any steamers call there ?

Mr. HYMAN. No.

Annapolis—repairs to Queen's wharf, $5,000.

Mr. FOSTER. Who owns the wharf ?

Mr. HYMAN. The government.

Mr. FOSTER. Of what use is this wharf now ?

Mr. HYMAN. It is used for trading purposes generally.

Ray's creek—wharf, $1,500.

Mr. FOSTER. What is to be the full expenditure there ?

Mr. HYMAN. The estimate of the work is $18,000. It is for the construction of a pile wharf.

Mr. FOSTER. Is there a line of steamers going there ?

Mr. HYMAN. Some steamers are running to the wharf.

Glace Bay—harbour improvements (revote), $25,000.

Mr. HYMAN. Glace Bay harbour is owned by the Dominion Coal Company. It was necessary to provide some accommodation for the public. An agreement was entered into with the coal company whereby they were to build a wharf according to certain specifications. On its completion they were to receive $25,000 from the government, and the company undertook to do the necessary dredging of the harbour while the government did the dredging outside. The government will pay the full amount of the money to the coal company upon the completion of the work.

Mr. FOSTER. What is the nature of the work ?

Mr. HYMAN. A wharf for the coal company and the public.

Mr. FOSTER. Outside the coal trade, of what commercial importance is the place ?

Mr. HYMAN. Glace Bay is quite a large town and a considerable amount of general commerce is done there.

Mr. FIELDING. The demand for this wharf did not come from the company, but from the people of Glace Bay. Many years ago the harbour was established by a smaller corporation, the Glace Bay Mining Company. After the lapse of years, railways were built and the coal was shipped at other points. The harbour was then allowed to fill up. But with the development of the mining industry, there grew up a large town at Glace Bay. If you take in the surrounding country, within easy touch of Glace Bay, you have quite a city. Within the incorporated area to-day are some 15,000 people. These people are very anxious to have water as well as railway communication, particularly in the matter of bringing produce from the Island and the mainland of Nova Scotia. The company are not very much concerned about it, but the entire community want water as well as railway accommodation. And when the people of the neighbourhood started a movement for the purpose of opening the harbour the company was somewhat diffident. But an agreement was come to that the government should give a certain aid to go to the opening up of the harbour, to afford facilities for the trade of the country generally, such, for instance, as vessels from Prince Edward Island with produce.

Mr. FOSTER. Is there a trade there besides the coal trade ?

Mr. FIELDING. It all arises out of the coal trade. There is a large population there to be fed, and they want to be able to communicate with the world by water as well as by rail.

Mr. R. L. BORDEN. This is a revote. We discussed the subject last year. The question arose as to this being a private harbour and public moneys being voted for it. It should be clearly arranged with the constituency that this is to be a public harbour.

Mr. FIELDING. It is to be available to the public on a certain scale of rates.

Mr. R. L. BORDEN. Free right of navigation ?

Mr. FIELDING. Exactly—subject to this scale of rates.

Mr. BLAIN. I believe a certificate was given by the engineer for $11,000 which was refused payment?

Mr. HYMAN. The work was to be paid for in progress estimates. And a certificate was given for part of the $25,000.

Mr. BLAIN. Was it paid ?

Mr. HYMAN. No.

Mr. BLAIN. What is the trouble ?

Mr. HYMAN. I understood that the Auditor General refused to authorize the certificate. That is why I want the matter fully discussed. So far as the Department of Public Works is concerned, I want to give the committee every information on the subject.

Mr. BLAIN. I think the minister was to bring down the agreement with the company last year, and it was not done. Will the minister bring that down ?

Mr. HYMAN. I will be glad to do so.

Sydney quarantine station—wharf, revote, $1,500.

Mr. FOSTER. Is that the total amount ?

Mr. HYMAN. That item is dropped.

Irish Cove—wharf, $800.

Mr. FOSTER. Is that an old wharf, and is that the full amount ?

Mr. HYMAN. It is an improvement to the old wharf. It is the full amount.

Pugwash—wharf, $5,000.

Mr. FOSTER. How much is being expended, there ?

Mr. HYMAN. The estimate is $10,000. Pugwash is a town with a population of about 2,000.

River Hebert wharf—repairs and renewals, $2,000.

Mr. FOSTER. Is that the full amount ?

Mr. HYMAN. Yes.

Parrsboro'—addition to landing pier, &c., revote, $2,500.

Mr. HYMAN. This is the full amount.

Parrsboro'—harbour improvements, $20,000.

Mr. FOSTER. What is being done there?

Mr. HYMAN. The main improvement is in the way of dredging, to enable vessels to enter the harbour. Parrsboro is the third harbour in Nova Scotia in point of commerce. A large trade is being done there, but at great disadvantage, for want of these improvements.

Mr. FOSTER. I assume that these items are the full amounts to be expended, unless the contrary is stated.

Mr. HYMAN. That is not the case with some that we have gone over.

Mr. FOSTER. It is impossible for us to get full information with reference to each of these items. Whether that was the purpose of delaying the bringing down of the estimates until this time I do not know, but that is the effect.

Mr. HYMAN. I am glad to give every information.

Mr. FOSTER. That is all right theoretically. But if we try to get full information, we should probably spend a fortnight on this vote alone. For the minister knows it is impossible for us to do that now as matters stand. I will be glad if, as we go over the items, he would state whether the work is a new work, and whether the vote now given will finish the work, what the total expense will be. And if it would not be too much for him, I wish he would give us the geographical situation at least to the extent of saying in which county each of these works is.

Economy—extension of pile wharf, $6,000.

Mr. HYMAN. The total amount here is $12,000. I do not say that this will for all time complete the work, as the engineer says that further expenditure may be necessary there hereafter.

Mr. FOSTER. What is the trade?

Mr. HYMAN. I believe it is a lumber-shipping and ship-building place. It is in Colchester county.

Tatamagouche wharf, $3,000.

Mr. FOSTER. What is the population?

Mr. HYMAN. I understand the hon. gentleman (Mr. Foster) to ask what is the population of Economy?

Mr. FOSTER. No—Tatamagouche. What is the population and what business is done there?

Mr. FIELDING. We do not seem to be able to get this Minister of Public Works (Mr. Hyman) away from Economy.

Mr. SINCLAIR. Both places are in the county of Colchester. Economy is on the Minas Basin; it is a lumbering place with a large mill. The same description applies to Tatamagouche. It is a village on the northern shore of Northumberland straits, of about 500 people. The Oxford and New Glasgow Railway passes through it. In the old times a good many wooden ships were built there, and some small schooners trade there yet. The trade is chiefly lumber. I think the lumber is rafted down the river, and after being manufactured, it is shipped to other places.

Mr. FOSTER. Has the minister the amount of customs revenue at Tatamagouche?

Mr. HYMAN. No.

Mr. FOSTER. This lumbering business at Economy, is it anything else but a lumbering port? Will the wharf serve any other purpose than individual lumbermen?

Mr. HYMAN. The wharf will serve for all shipments to and from the village and district. It is the only way possible to make shipments. There is no railroad, and it is the only means of access to the outer world.

Mr. E. M. MACDONALD. In addition to that, along Minas Basin where the tide of the Bay of Fundy flows, it is impossible for any business to be carried on except by a substantial wharf, owing to the impossibility of making connection between the land and the water on account of the tide. Economy is a flourishing district in the western portion of Colchester county, in proximity to Bass river. There is a large furniture factory. It will probably be the centre of a large commerce.

Marble Mountain—wharf, $2,000.

Mr. HYMAN. This is a new wharf. The population is 350.

Mr. FIELDING. It is the centre of a considerable industry in connection with the large marble quarries there, and in connection with the iron industries of Cape Breton. They are developing a large business.

Petite Riviere—improvements, $4,000.

Mr. HYMAN. The probable cost will be about $12,000. There will be two parallel piers, and the cribwork will be lengthened about 1,700 feet. The purpose is to confine the water so that large ships may come up. Instead of spending a large amount in dredging, the engineer has reported that the difficulty can be more cheaply overcome by confining the water. The population is 500. It is a navigable river, about ten feet deep.

Mr. FOSTER. The stream that flows into the harbour, is that a navigable stream?

Mr. HYMAN. We are improving the stream, we are improving the harbour at the mouth of the stream, improving the entrance to the harbour. The engineers report that it will cost a large amount of

money to dredge, it requires continual dredging; but by confining the water of the tide, it prevents scouring and maintains its own depth.

Mr. FOSTER. Is that a commercial town ?

Mr. FIELDING. It is a business and fishing place at the mouth of LaHave river.

Toney river—boat harbour, $5,000.

Mr. HYMAN. The estimated cost will be $7,000.

Mr. E. M. MACDONALD. Toney river empties into Northumberland straits, about midway between Pictou and Tatamagouche harbour. The outlet of the river is blocked by a sand-bar.

Mr. FOSTER. What is the population of Toney River ?

Mr. E. M. MACDONALD. Toney River is a farming and fishing district; it is the centre of a population of fishermen and farmers. The village itself is small.

Mr. FOSTER. Then it could fairly be described as a harbour refuge ?

Mr. E. M. MACDONALD. That is what it is.

Bourgeois Inlet—wharf, $3,500.

Mr. FOSTER. Is this a new wharf ?

Mr. HYMAN. Yes.

Mr. FOSTER. What is the purpose of it?

Mr. FINLAYSON. This is to enable fishermen to carry on their avocation. The fishermen are nearly all deep sea fishermen. There are no wharfs in that place. There is a considerable farming district back of that point and the produce of the district may be shipped from that wharf.

Mr. FOSTER. Is there any line of steamers?

Mr. FINLAYSON. No, just small schooners of about forty tons.

Mr. FOSTER. What is the population ?

Mr. FINLAYSON. About 500. But I think the wharf will accommodate a population of 1,000.

Poirierville—landing pier, $5,000.

Mr. HYMAN. The estimated cost of this work is $8,500.

Mr. FOSTER. Is this for shipping purposes?

Mr. FINLAYSON. Yes.

Barrington Passage—reconstruction of wharf, $6,000.

Mr. HYMAN. This is the total amount.

Frude's Point wharf—enlargement, $5,000.

Mr. HYMAN. This is the total amount.

Mr. FOSTER. What county is this in?

Mr. FIELDING. In the county of Shelbourne, not far from Lockeport. A railway is being constructed to Frude's Point. As a matter of fact the wharf was built some years ago and now that the railway is coming it is necessary to enlarge the wharf so as to give deeper water. It is the deepest water of the region and the railway company, recognizing that, are swinging their line to reach that point. It is proposed to carry the wharf out farther so that vessels of a larger size may use it.

Mr. BLAIN. What is the size of Barrington Passage?

Mr. FIELDING. Barrington Passage lies between the Barrington district and Cape Island. The district of Barrington is a scattered district containing a number of settlements. Barrington Head is a settlement of considerable size. A short distance away is Barrington Passage. The wharf at Barrington Passage was constructed many years ago by the late government, but it has fallen into disrepair and it requires to be nenewed to a very considerable extent.

Mr. BLAIN. Has there been anything expended on it in the last four or five years ?

Mr. FIELDING. Yes, occasionally there has been an effort to patch it up and keep it going, but the engineers have reported that these small expenditures will be useless and that it will have to be repaired in a large way or it will go to pieces.

Kelly's Cove—breakwater, $7,000.

Mr. HYMAN. Kelly's Cove is in Yarmouth. This vote is asked for the construction of a breakwater about 400 feet long. There is now a breakwater but it is in a very dilapidated condition. The intention is to change the site somewhat. The engineers report that the breakwater will be more efficient if the site is changed. In stead of repairing the old breakwater the intention is to build a new one. The estimated cost is $19,000.

Mr. FOSTER. What is the population of Kelly's Cove?

Mr. HYMAN. It is a fishing village; I have not the population here. There is a report showing that there is a large number of boats engaged in fishing.

Mr. FOSTER. This is a very large expenditure.

Mr. HYMAN. It is.

Mr. FOSTER. For a small fishing village.

Mr. HYMAN. I understand that in addition to being that it is a harbour of refuge as well.

Mr. FOSTER. That is a good definition to give for these larger votes. It seems a very large vote.

Porter's lake—boat channel to Three Fathom harbour, $5,000.

Mr. HYMAN. The estimated cost is $13,000.

Mr. FOSTER. What is done for the $13,000?

Mr. HYMAN. There is a large basin of water. This is for the purpose of allowing vessels to enter that basin so as to extend navigation. The work has been undertaken, a certain amount has been expended but there have been considerable engineering difficulties. One of the best engineers of the department has been down there and has reported that it is possible to overcome these difficulties by an expenditure of $13,000, and possibly of $6,000.

Mr. FOSTER. What do you get by the expenditure of that money?

Mr. WILLIAM ROCHE. The lake is a large body of water eighteen or twenty miles long. There are mills on it, six or seven streams enter into it, and there are good fisheries. The difficulty in connection with it is that the sea heaps thousands of tons of gravel into the natural output and the lake chokes up and overflows all the farms in the vicinity causing great devastation. Therefore, an artificial outlet had to be made to allow of the ingress and egress of fish. A canal has been constructed but it was not large enough to allow the water to go off and it is proposed to increase that work and to cut off the sea by making a side entrance so as to allow the water to go off. The ocean outside heaps up the gravel and stops the natural outlet. The whole adjacent country is laid under water when the outlet it stopped.

Mr. FOSTER. That opens up another phase of the business. It does not seem that this is for the purpose of navigation or for the purpose of trade.

Mr. WILLIAM ROCHE. Yes, as well.

Mr. FOSTER. You are to provide some means by which damage from the overflowing of property may be avoided.

Mr. WILLIAM ROCHE. Part of it.

Mr. FOSTER. Part of it, and I imagine from what my hon. friend said that is the greater part of it. That opens up another question as to whether we are going to spend money around that same coast to prevent overflows on property.

Mr. HYMAN. This must be taken as a special case. By keeping the channel free navigation is open from this lake, but if in addition to that it affords facilities for the water to discharge and prevent flooding, I do not think that is a reason for its not being done. It is not done simply for the purpose of drainage. The drainage is incidental.

Mr. FOSTER. What is Porter's lake, is it fresh water?

Mr. FIELDING. It is quite a large lake and there have been considerable lumbering operations upon it; the place is inhabited by lumbermen and fishermen.

Mr. FOSTER. Any town?

Mr. FIELDING. It is a scattered settlement.

Mr. FOSTER. This vote appears to be for a work which will give access from the ocean to inland waters, and it is in reality a short canal.

Mr. FIELDING. There is a natural channel there but it fills up easily and you have to keep it open.

Mr. FOSTER. If the minister searches diligently he may be able to find a number of such places in which he can spend money within the next few years.

Mr. SPROULE. I hope it will not be like the channel they made some years ago by which they let the water run out and no navigation was left.

Mr. FOSTER. That is Fielding's folly.

Mr. FIELDING. The statement which was made with regard to that was entirely unwarranted. It was a very useful public work, and I laid before the House the report of the engineer, which proved that it was.

Half Island cove breakwater, $7,500.

Mr. FOSTER. Is that the total vote?

Mr. HYMAN. Yes.

Mr. FOSTER. What is the population of Half Island?

Mr. SINCLAIR. It is a fishing village, and the population of the district, including Half Island, is about 800.

Mr. FOSTER. That would depend upon what area you put into the district.

Mr. SINCLAIR. The work is of utility to the district generally. The breakwater is to be built for the protection of the fishing boats. The steamboat plying between Guysborough and the Strait of Canso would call at Half Island Cove if there was any protection. There is a fresh fish industry there, and at present the boat anchors in the bay and the fishermen have to carry out their boxes in small boats and load them on the steamer in the open sea at great inconvenience. This is one of the most thriving places in that part of the county of Guysborough, and if this breakwater is built

there will likely be an important fishing industry there.

Boisdale wharf, $5,500.

Mr. FOSTER. What is the reason for this work ?

Mr. D. D. McKENZIE. This is a settlement about thirty miles long extending from the Grand Narrows to Little Bras d'Or. There are boats plying on Bras d'Or lake, but there is no wharf there at which they could call for the convenience of the farmers, merchants and so forth. The people have been trying for years to get a small wharf built there, and this wharf is to meet the necessities of the place.

Mr. FOSTER. This is on Bras d'Or lake itself ?

Mr. D. D. McKENZIE. Yes.

Baddeck wharf, $5,000.

Mr. FOSTER. What is this ?

Mr. HYMAN. The departmental engineers have made a report in regard to the site of this wharf, but the department has not sufficient information to decide on that matter. There are three sites, and if the wharf is built on one site it will cost $13,000; if on another $14,500, and if on the third site, $14,400.

Mr. FOSTER. Will you have to buy a wharf site and pay for it ?

Mr. HYMAN. Yes. I want to decide on which site the wharf will be of greatest utility.

Mr. FOSTER. Baddeck is historical anyway.

Prince Edward Island—public works, $4,350.

Mr. A. MARTIN (P.E.I.). We had an interview with the minister some time ago with regard to the building of wharfs at Mount Stewart and also at Belle River, two very important shipping points in the province, especially Mount Stewart, a place which serves not only a large section of Queen's county, but King's county as well. There is a railway wharf there, which, if extended with an 'L,' would give sufficient accommodation. I understood that the minister was to get a report from his engineer in regard to it, and I would like to know where that report is.

Mr. HYMAN. I have not the report with me, but I shall be very glad to give the hon. gentleman the report privately if he asks for it.

Mr. A. MARTIN. The report will hardly do much service this session.

Mr. HYMAN. It is a good deal to get in one session.

Mr. A. MARTIN. Considering the large task which the hon. minister has ahead of him, I think he might add a few more items for Prince Edward Island. There is another very important wharf.

Mr. E. M. MACDONALD. Is this one of the little places ?

Mr. A. MARTIN. No, it is one of the big places ; the little places are where the hon. gentleman comes from. The repair of the wharf at Red Point is urgent, and I cannot understand why it has been overlooked.

Mr. HYMAN. Does it require a large amount of repairs ?

Mr. A. MARTIN. No, I think not.

Mr. HYMAN. I will have the matter looked into, and if it needs only a small amount of repairs, I will have them done out of the general vote.

Mr. A. MARTIN. What does the minister says about Belle river ?

Mr. HYMAN. It is impossible to add anything to the estimates this year, but I have asked the engineer to let me have a report upon it.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

House again in committee on Bill (No. 149) respecting the South Shore Railway Company and the Quebec Southern Railway Company.

On section 4,

Mr. GEOFFRION. I have been asked by the promoters of this Bill to substitute for section 4 a clause which has been placed in my hands. There is some ambiguity in section 4 as it now reads. The intention of the promoters and of the committee must have been that the two roads should be sold separately, and that each creditor of each road should be paid according to priority or preference. As the section at present is not very clear, I have been asked to move that the following be substituted in its place :

The creditors of the South Shore Railway shall be paid according to their rank out of the proceeds of the sale of the said railway and its accessories by preference to and before any other creditors ; and the creditors of the Quebec Southern Railway shall be paid according to their rank out of the proceeds of the sales of the said railway and its accessories by preference to and before any other creditors.

Mr. BRODEUR. I suppose there will be no objection to add the words 'as determined by the court.' The clause as proposed might create more difficulty. Some creditors, when the company was insolvent, took out a mortgage on the property and had it registered. In virtue of the Quebec law, such a privilege would be considered of no value. But if the clause as proposed should

pass, it might be considered that we were validating such registration made when the company was insolvent. Under the Quebec law, when a man is insolvent all his creditors must be treated alike, except those who had preferential claims which were registered before his insolvency. Once he becomes insolvent, no one can obtain any privilege over any other creditor. Some claims were registered on the property after the company became insolvent, and as it is provided by the amendment that they should be paid according to their rank——

Mr. PREFONTAINE. Add the words 'according to law.'

Mr. GEOFFRION. I was asked to propose this clause, but I do not see much necessity for it. There is no question but that the creditors will be paid according to law and according to their rank.

Mr. R. L. BORDEN. I would suggest that the clause be made to read 'in order of priority according to law.'

Mr. DEPUTY SPEAKER. It is moved by Mr. Geoffrion that the following clause be substituted for clause 4:

The creditors of the South Shore Railway shall be paid in order of priority, according to law, out of the proceeds of the sale of the said railway and its accessories by preference to and before any other creditors; and the creditors of the Quebec Southern Railway shall be paid in order of priority, according to law, out of the proceeds of the sale of the said railway and its accessories by preference to and before any other creditors.

Mr. R. L. BORDEN. What you are endeavouring to accomplish is this—that the rights of the creditors of each road shall not be affected by an amalgamation made without their consent.

Mr. BRODEUR. Exactly.

Mr. R. L. BORDEN. That is proper legislation.

Motion agreed to.

Mr. FIELDING. Is there provision in this Bill for due notice to the bondholders?

Mr. GEOFFRION. Yes.

Mr. R. L. BORDEN. That is a very important matter. As I understand the matter, it is left to the Exchequer Court to direct what notice shall be given.

Mr. FIELDING. I suppose that is all that is required?

Mr. R. L. BORDEN. I think the court will see to it that they all get notice.

Bill reported, read the third time, and passed.

SECOND READING.

Bill (No. 198) for the relief of Agnes Hedevig Helga Salusbury Trelawney.—Mr. Campbell.

Mr. BRODEUR.

SUPPLY.

House in Committee of Supply.

Public Works—chargeable to income—harbours and rivers—New Brunswick—Dipper harbour—breakwater, $10,000.

Hon. C. S. HYMAN (Minister of Public Works). This will complete the work.

Mr. STOCKTON. In the main estimates there is an item of $35,000 for this work. I understood a contract had been entered into. In that case, why this additional $10,000?

Mr. HYMAN. Because the contract is for $45,485. This vote is necessary to pay the work to be done under the contract.

Mr. STOCKTON. I presume that the contractors are working on this breakwater now?

Mr. HYMAN. Yes.

Mr. STOCKTON. There was a vote of $5,000 for a breakwater at Chance Harbour. Has the work on that begun yet? I may say to the minister that both Chance Harbour and Dipper Harbour works are important public works.

Mr. HYMAN. The work has been ordered to be proceeded with. The money was only available at the first of this month.

Mr. STOCKTON. I would ask also if the minister has had any applications for a breakwater opposite Lorneville, in the city and county of St. John? This is between Chance Harbour and St. John city. It would cost about $4,000 or $5,000, and would be of great benefit to the fishermen along the coast.

Mr. HYMAN. I do not remember, nor does the chief engineer of the department, any communications on that subject. But I have asked the chief engineer to make a memorandum of it, and he will look it up.

St. John harbour, $100,000.

Mr. HYMAN. About six weeks ago or more I was approached by His Worship the mayor and council of St. John, accompanied by a deputation of the Board of Trade of that city, who stated that it was necessary, in the interest of the trade of the country and of St. John, that an additional berth should be provided in that harbour. They offered to construct the wharf if the government would do the necessary dredging. I asked what dredging would be needed, and the deputation promised to send to the department a plan showing what dredging would be required. They asked if the government would consider a proposition to expend about $100,000 or $150,000 in dredging, provided the city would undertake to spend in the neighbourhood of $300,000 to provide the extra berth. I consulted my colleagues, and we decided that it would be

a fair arrangement. But when the department received the plans, it was found that the dredging that would be necessary was such that the estimated cost ran up to $400,000. I say this in order to explain the delay in commencing the work. It was necessary to have a thorough survey of the whole work by the engineers of the department, with borings of the necessary depth. This was proceeded with. We now have an estimate for a smaller area of dredging which will prove sufficient, and which work can probably be done for about $150,000. It is entirely dependent on the amount per yard that we find necessary to pay for the dredging.

Mr. STOCKTON. Which will depend upon the character of the dredging ?

Mr. HYMAN. Yes. I figure that the work can probably be done for from $100,000 to $150,000. Plans and specifications for the dredging have been made, and tenders will be called for almost immediately.

Mr. STOCKTON. I would like to make an observation on this subject for the information of members of this committee. The people of St. John, of course, feel a certain degree of satisfaction with the government for spending this money to make the port of St. John one of the great winter ports of Canada. It may not be generally understood that St. John has already spent $800,000 of its own money to provide terminal facilities for the export trade of Canada, and is now called upon to spend $300,000 more to enlarge these facilities, a total expenditure by the people of St. John of $1,100,000. We had in the main estimates at the beginning of the session, an item of $500,000 to be expended by the government in improving the harbour facilities of Quebec. And, in the discussion of that item, it came out that the government of Canada had previously advanced to the harbour commissioners of the port of Quebec, $5,000,000 for harbour improvements, and thus far neither interest nor principal had been returned, nor was its return expected. I do not wish it to be understood that I am objecting to the expenditure of that money at the port of Quebec, or to the expenditure of money at the port of Montreal, or at the port of Halifax. In fact, I think that the time has come for the government of Canada, no matter which party is in power, to consider seriously the propriety of taking over these four ports and making them national ports of the Dominion. In the city of St. John, while the people are paying interest on this $800,000, all the export trade going through that port is done in the interests of the people of western Canada and goes absolutely free. There are no wharfage charges, no harbour charges, nor are there any charges for return freight imported through the port of St. John for Canada. I feel that the time has come when the government should, in the very near future, take up this transportation question and consider the propriety of making the four ports which I have named the national ports of Canada under the control of the Dominion government.

River St. John—to provide for contributions to local government, not to exceed one-half the first cost of wharfs built by them in tidal waters, $5,000.

Mr. STOCKTON. Would the minister state what wharfs along the River St. John the construction of which it is intended to aid by this grant ?

Mr. HYMAN. The way in which these expenditures have been made in the past—we get from the local government a list of wharfs which they propose to erect. Then the engineers of the department pass upon the necessity of the wharfs ; and if they are approved, then we join the local government in paying the expense of the wharfs. I can give the hon. gentleman a list of the wharfs which were erected last year ; but I have not yet received from the local government a list of the wharfs which they intend to erect this year, and for which we contribute annually one-half the cost, as we have been doing for a number of years.

Public Works, Quebec—Laprairie—ice piers, &c., $15,000.

Mr. HYMAN. This work was commenced a number of years ago. The original work was done on piles ; but during a number of years past the department has replaced some of the old work by a permanent work, and this is for the purpose of continuing that improvement. The department estimates that $15,000 will be the total amount expended this year, but I am informed that we will require a further sum, possibly $20,000 or $25,000, to replace the old cribwork with solid concrete work.

Mr. LEMIEUX. There is a large bay opposite Laprairie and the village is lower than the water in the bay, and for many years it has been flooded every year. The old government began the construction of ice piers fifteen or sixteen years ago, and they were also obliged to raise a jetty in front of the village, which is a very expensive and important work.

River Maskinongé—additional amount for dredging, $3,600.

Mr. MORIN. How far up is it proposed to dredge this River Maskinongé ?

Mr. LEMIEUX. I can give my hon. friend the explanation of this vote. Last year I visited that place with my colleague, the Minister of Inland Revenue. Large lumbering operations are carried on in that river, and steamboats navigate it up to the lumber camps. The mouth of the river is blocked up by a sand-bar, and the work had just begun when the Minister of In-

land Revenue and myself went there two years ago.

Lake St. Francis (Beauce)—wharfs, $3,000.

Mr. BENNETT. Is that a new one ?

Mr. HYMAN. It is for two wharfs, estimated to cost $7,500.

Mr. MORIN. Will the minister explain what is the use of building wharfs in that place ?

Mr. HYMAN. To accommodate boats.

Mr. MORIN. Company boats or private boats ?

Mr. HYMAN. I do not know whether the boats are owned by a company or not. The wharfs are built for the ordinary purposes of navigation.

English river—removal of obstructions, $4,000.

Mr. HYMAN. This is for the purpose of removing obstructions from the bed of the river to improve navigation. The department does not intend to spend more than $4,000.

Petite rivière, Péribonca—removal of snags, &c., at mouth, $600.

Mr. MORIN. Where is this river ?

Mr. LEMIEUX. It is one of the tributaries of Lake St. John, in the county of Chicoutimi.

Mr. MORIN. What is the use of removing snags in that small stream ? That cannot be navigable.

Mr. HYMAN. The object is to remove the snags so that boats may pass up and down.

St. Alphonse wharf—removal of rocks from approaches, $1,000.

Mr. MORIN. That wharf is of very little use. There is only one ferry, and no steamer ever goes there. You could save some money by not spending it at places of that kind.

Mr. HYMAN. My information is that there is a considerable amount of traffic at that place.

Mr. MORIN. It is just a ferry.

Mr. HYMAN. This is a large parish and it is a small amount of money, $1,000 simply to be spent for improving the channel.

Lake Megantic—piers, $5,000.

Mr. BENNETT. Is that a new work and will it complete?

Mr. HYMAN. No, these are repairs to the old piers.

Anse à L'Ilot—landing pier, $1,000.

Mr. BENNETT. Will that complete?

Mr. HYMAN. That will complete.

Mr. LEMIEUX.

Newport breakwater—extension (revote, $4,000), $7,700.

Mr. HYMAN. That is to complete.

Percé (North cove) wharf—addition (revote, $3,000), $15,400.

Mr. HYMAN. That is to complete.

Riviere aux Renards—breakwater, pier (revote, $3,200), $20,000.

Mr. BENNETT. Will that complete it ?

Mr. HYMAN. This will hardly complete it. It is a large work. It is under contract. It has already been explained to the House. It will require $4,000 or $5,000 more which we do not expect will be earned this year.

Douglastown—isolated block, $10,000.

Mr. HYMAN. This is under contract.

St. Geneviève piers—renewals (revote), $2,500.

Mr. HYMAN. That is to complete.

St. Jean des Chaillons—wharf (revote, $12,000), $15,000.

Mr. HYMAN. This is under contract.

Lotbinière wharf—repairs and improvements (revote), $4,000.

Mr. HYMAN. That is to complete.

Grande rivière de Beaupré—wharf, $4,000.

Mr. BENNETT. Will that complete ?

Mr. MORIN. What is that work to be put there for?

Mr. HYMAN. My information is that there is a considerable amount of lumber exported at this point and this wharf is for the purpose of aiding the loading of lumber.

Mr. MORIN. I know all about Grande Rivière de Beaupré and I can tell the hon. minister that lumber in that district is very scarce, and that they cannot load lumber from the mill at this wharf. The mill is on one side of the river and the wharf on the other and there is not sufficient water for boats to go there.

Mr. LEMIEUX. There are many boats coming from other portions of the river and landing at this place. There are many pilgrimages during the summer to Ste. Anne de Beaupré and the boats use that wharf.

Mr. MORIN. Well, I have never seen four or five steamboats there at a time. I know all about that place and the only steamboat that comes is the little boat owned by Mr. Fortier of Ste. Anne, that runs from Quebec in the summer time for a couple of months. However, if you want to spend money and waste it go ahead and do it.

Mr. LEMIEUX. My hon. friend does not go on those pilgrimages.

Grondine's wharf—(revote, $5,000), $12,000.

Mr. HYMAN. That is to complete.

Sorel deep water wharf—contract and additional works, $40,000.

Mr. R. L. BORDEN. We should have an explanation of this.

Mr. HYMAN. This is to complete the contract. The Sorel contract amounts to the sum of $255,000. The work has been going on for three or four years and this is to complete payments on the contract.

Disraeli wharf—to complete, $1,500.

Mr. MORIN. I would like to have some explanation about this so-called wharf at Disraeli. I am getting sick of that wharf.

Mr. HYMAN. I think my hon. friend discussed this matter very fully when the estimates were up. I am sorry the hon. gentleman is getting so tired of the subject.

Mr. MORIN. Does the hon. minister remember how much was voted last year for this wharf?

Mr. HYMAN. $5,000.

Mr. MORIN. Exactly. What has been done with that money?

Mr. HYMAN. The wharf has been built with that money and the vote having run out it requires $1,500 to complete it.

Mr. MORIN. What kind of a wharf is it? Is it made out of stones, earth, gravel or timber?

Mr. HYMAN. It is made out of cribwork filled with stone.

Mr. MORIN. Is that the report of the engineer?

Mr. HYMAN. Yes.

Mr. MORIN. The engineer has never seen it.

Mr. HYMAN. I do not know that it is necessary for the engineer to see all these works.

Mr. MORIN. How long is that wharf to be?

Mr. HYMAN. With the approach it is about 300 feet long.

Mr. MORIN. If this wharf is ever frequented by a boat of any kind how long will the boat be?

Mr. HYMAN. I am afraid I cannot answer that.

Mr. MORIN. I will bet you cannot. The hon. minister does not know anything about it. Of course, that is admitted. The engineer is the man who recommends that a wharf be built there or that the proposal to erect a wharf be rejected and he is the one I am aiming it, not the minister. At that place there is a little creek called Black creek, and the member from the county has asked the government for money to build a bridge there. It is not a wharf he wants at all; it is a bridge and they try to make this House believe it is a wharf. We all know that for a boat 400 or 500 feet long a wharf 300 feet long is not long enough.

Mr. HYMAN. I said the wharf with the approach.

Mr. MORIN. There is no approach about it. It is a flat piece of land.

Mr. HYMAN. I am informed and I have before me a memorandum taken from the report of the engineer in which it is set forth that there is an approach of some 250 feet.

Mr. MORIN. Does your engineer know the depth of water at that place?

Mr. HYMAN. Yes; he reports that at the head of the wharf there is 13 feet of water.

Mr. MORIN. There is a dam below and when the gates are down the dam is full of water and then it may be as deep as the minister says.

Mr. HYMAN. It is the dam that is navigated.

Mr. MORIN. When the water is high in the spring it is all right for floating logs, but at other seasons of the year there is no water to float even a small boat. The people of that place deserve some encouragement. It is a new country; the settlers went there about 30 years ago and they had a good deal of trouble on account of that bridge. They endeavoured to procure facilities for themselves but without success, and so I am glad this money is being voted. Now they want the government to help them to build a pier or a wharf, but it is neither a pier nor a wharf, it is a bridge. Why does not the minister come down straight and tell us he wants to help the people and that he is going to build a bridge for them. That is what he is doing and I am glad he is doing it, but I do not want the minister to try and make us believe things that are impossible of belief.

Mr. HYMAN. I do not desire to make the House believe anything; I merely state what my engineer reports as to the depth of water. We are building a wharf for the accommodation of navigation and if it fits in with another purpose, I do not see that any one need object. However, as to that I have no information whatever.

Mr. MORIN. Even if you had 100 feet of water there never would be any steamboats there.

Mr. HYMAN. That is not my information.

Mr. MORIN. Ask for money to build a bridge as the fact is, and I will support

the appropriation. Anyhow, I am glad the minister is spending this money.

Mr. HYMAN. If I were informed that it is to build a bridge, I would state so to the House.

Ontario—Barrie—to complete the Allandale landing pier, $1,500.

Mr. OSLER. It has not been the practice of the Dominion government to spend money on wharfs in these towns in Ontario, and while it may be done as an off-set to all these votes in Nova Scotia, it is a very dangerous policy to begin to build wharfs along the lakes in Ontario. I do not think money should be spent for building wharfs in places where there is no business done.

Mr. LENNOX. My hon. friend (Mr. Osler) has not followed the matter very closely. This is not the first instance in which the government has spent money on Lake Simcoe. Some years ago the government spent money at Hawkstone which is in a remote part of Oro, and while perhaps the one does not afford a justification for the other, and while I have expressed myself several times as to spending money here and there and all over, yet there is no doubt at all that this expenditure is amply, and more than amply justified under the system on which the government is making these expenditures. For instance, when they go to the Holland river where it joins the Grand Trunk Railway, the Postmaster General is making an expenditure in connection with a proposed canal, and the expenditure on this Allandale wharf is incomparably more justifiable. I want to call the attention of the minister to the fact that while the wharf at Barrie is, so to speak completed, yet there are a number of piles and other obstructions upon the west side of it which endanger persons who are using the wharf and which ought to be removed. The minister will agree with me that this should have been done before now. I understand that possibly the reasons these obstructions were not sooner removed was the difficulty of getting a dredge, but when the work is being done at Allandale, I trust the minister will avail himself of the presence of the dredge to clear the west side of the Barrie wharf. Would the minister at the same time tell me how far this $1,500 will go towards the completion of the Allandale wharf ?

Mr. HYMAN. This is to complete.

Mr. LENNOX. What kind of a wharf is it ?

Mr. HYMAN. It will be lumber understructure and concrete blocks. The hon. gentleman called my attention to the Barrie wharf some time ago and I immediately instructed the engineer of the department at Toronto to report to me the cost of removing these obstructions. If the cost is not too large to take out of the general vote, I will see that the work is done at once. If I have to get a special vote I will have to wait.

Mr. LENNOX. I do not think the cost will be much. What did the engineer report ?

Mr. HYMAN. I do not remember now, but I understood it was a small work.

Mr. LENNOX. It is very important that it should be done at once.

Mr. OSLER. No doubt the vote for Allandale is quite as worthy and deserving as half the votes which have been passed today; but I have noticed a disposition to include the inner waters of Ontario in these votes for private wharfs. I think it will be a great pity if the system that has been customary so long in the eastern provinces is to be imported into the inland waters of Ontario. If it is, it will be merely a bait to every member to try to get as much money as possible spent in his constituency. The idea was very well expressed to me by a man whose interests are in one of the lower province constituencies. He said to me: 'We have a very fine member; he got a lot of money spent in our county.' That seems to be growing as the standard by which a member of this House is judged—how much money he can get spent in his county. On Lake Simcoe there is practically no business apart from pleasure, and I do not think this government is justified as a matter of principle in spending any money on wharfs on such a water as Lake Simcoe.

Mr. HYMAN. I presume it is justifiable to spend money on wharfs if we are going to spend money at all on the inland waters.

Mr. OSLER. If there is business.

Mr. HYMAN. I am going to endeavour as far as I can to see that money is not wasted; but there are circumstances in which it is quite as necessary to make a small expenditure as it is to make a very large expenditure in a large city. I cannot agree with the idea that we should not spend money under any consideration unless we spend a large amount or unless the expenditure is on some general scheme of transportation. I think small expenditures may as properly be made as very large ones.

Mr. OSLER. There are many points on Lake Simcoe where there will be demands for wharfs if the government are going to recognize the principle of voting money for these purposes. I say the principle is a wrong one, though there are of course exceptions.

Mr. HYMAN. I think the Allandale wharf is as much a necessity as many larger works.

Mr. LENNOX. The hon. member for West Toronto speaks of inland waters. In a sense Lake Simcoe in not an inland water, because the Trent Valley canal will soon be completed, when we shall have direct communication from Lake Simcoe to the ocean—not very deep, but direct communication. We shall also have connection by way of the Severn river with the Georgian bay. So that Lake Simcoe stands on a different basis perhaps from some other lakes in Ontario. I have on several occasions talked till I was tired against the expenditure of money on wharfs which did not serve the general interests of Canada, but rather a small area. But that is not the policy of the government, and the only thing we can do is to get our share of the expenditure. If there is to be this semi-local expenditure, there is no doubt that Barrie is one place that should be considered; and this is small expenditure in proportion to the size of the place.

Honora wharf—freight shed on piles, $1,500.

Mr. BLAIN. Is there any revenue from this wharf ?

Mr. HYMAN. There is no revenue from it, because it is just completed.

Mr. WM. WRIGHT. Where is this situated?

Mr. DYMENT. On the north channel of Lake Huron, on Manitoulin island.

Mr. BENNETT. When was the dock built ?

Mr. DYMENT. It was completed last fall.

Silver Water, Manitoulin Island—wharf, $4,500.

Mr. BENNETT. Will this complete ?

Mr. HYMAN. This is to complete.

Mr. BENNETT. I hope the minister will be able to get more revenue out of these new wharfs than he has out of the old ones on Manitoulin Island. There is a very expensive dock on Cockburn Island from which not a dollar of revenue has been derived. We have spent thousands of dollars on docks on Manitoulin Island from which there is no revenue. Does the minister anticipate any revenue from this dock ?

Mr. HYMAN. The question of revenue does not arise in the Public Works Department.

Mr. BENNETT. But the Auditor General's Report shows whether any revenue is derived from these wharfs or not. In Toronto or Hamilton or any of the other cities on the Great Lakes, private capital builds the docks, whereas these docks are built by the government because nobody would be idiotic ass enough to build a dock where there is not a chance of getting any revenue out of it.

Mr. DYMENT. This dock is situated in one of the best ports of Manitoulin Island. I do not know that the question of revenue from these wharfs ought to come into consideration very much, because the wharfage charges made by the government are very small, and it is impossible to have much revenue from them. These wharfs are built for the new settlers. I may say that the wharf at Colborne Island was built by the late Conservative government.

Mr. BENNETT. There was a good deal to be said in defence of the Colborne Island dock. There was no railway communication and there was a large number of settlers there.

Mr. HYMAN. There is no railway communication at Silver Water either.

Mr. BENNETT. But there is communication at near points.

Echo Bay—wharf, $14,300.

Mr. HYMAN. This is in Algoma East, about 15 miles from Sault Ste. Marie.

Stokes Bay wharf (revote, $2,000), $4,000.

Mr. HYMAN. The contract price is $17,456.

Mr. DYMENT. This is in the riding of West Algoma, but I have some knowledge of it. Last year there was quite a large sawmill and stave factory erected there and the wharf is largely for the benefit of that industry and of the settlement in that place, which is considerable.

Mr. BLAIN. When application is made to construct a wharf of this kind, does the minister make no inquiry whatever as to whether there will be any revenue in the future or not ?

Mr. HYMAN. I am not aware that I ever said so, but I am not concerned with the revenue of a wharf after it is transferred to the Department of Marine and Fisheries. I was asked what the amount of revenue was, and I said that when the wharf is transferred the Department of Public Works has no information with regard to the revenue.

Mr. BLAIN. What is the policy ? The hon. minister says he makes no inquiry.

Mr. HYMAN. I know the hon. gentleman does not wish to misquote me, but he repeats that I made no inquiry. I did not say that I made none. What I said was that we had nothing to do with the wharf after it was transferred from my department.

Mr. BLAIN. When an application is made to build a wharf, I suppose the engineer of the department will report as to its cost and location. In that report, is

there any suggestion as to what revenue may be expected——

Mr. HYMAN. That depends entirely on the character of the work. In the case of a large wharf and large expenditure, the question of dues would be material, but in the case of small wharfs where it would cost more to collect dues than they would amount to, the department does not take into consideration the question of revenue. There is no rule laid down, and we must use common prudence.

Mr. URIAH WILSON. This wharf cost $17,000. That is not a small wharf. What were the reasons urged for building it ? Who owns the sawmill which it was built to accommodate ? If it is the Department of Marine and Fisheries which has to do with this wharf, we ought to have the minister of that department here.

Mr. HYMAN. I have no information with regard to the name of the owner of the sawmill at all. Perhaps my hon. friend from Algoma may be able to give the information.

Mr. DYMENT. This wharf is not for the benefit of the lumber company altogether, but no doubt it will serve the purposes of that industry.

Mr. URIAH WILSON. You gave that reason a little while ago.

Mr. DYMENT. Not altogether. I said there was a very good settlement of farmers in there. The name of the company is the Echo Bay Lumber Company, of which George Nibergall is the principal owner. I do not know what his politics are. I would put in a plea for the kind consideration of the members for these wharfs in the new part of Ontario. The settlers have great hardships and difficulties to contend with. It is pretty hard for them to get along with railways some twenty or thirty miles distant from their homes and consequently these wharfs are very important to them. It is a great advantage to them to be able to drive cattle down to these wharfs some ten or twelve miles instead of having to drive them twenty or thirty miles to a railway.

Mr. URIAH WILSON. I could make a strong plea for my own riding where there are settlers not even within thirty-five or forty miles of a railway and who have been settled there over forty years. There should be a little give and take in these matters, and these people who have been living in old sections of the country for years, distant from railway communication, should be given some consideration.

Meaford harbour—to pay contractor, M. A. Pigott, arbitrator's award of $66,162.24, in full and final settlement of all claims preferred in connection with his contract for pile work and dredging of June 15, 1900, inclusive of interest at 5 per cent from date of final estimate in his favour of July 31, 1902, up to date of payment of award, $76,100.

Mr. HYMAN. There was considerable difficulty arriving at the amount due. The contractor claimed a much larger sum and the matter was referred to arbitration.

Owen Sound—harbour improvements, $10,000.

Mr. BARR. Who has that contract ?

Mr. HYMAN. A. F. Honan.

Trenton—dredging Trent river, $10,000.

Mr. URIAH WILSON. Where is the dredging done ?

Mr. HYMAN. There are two pieces of dredging within a short distance of each other, one on the shore and one a short distance up the river.

Mr. URIAH WILSON. It must be below the falls. I do not see what object there could be in dredging higher up the river.

Mr. HYMAN. No ; it is only a short distance up the river.

Oshawa harbour—dredging and repairs (revote), $1,500.

Mr. BLAIN. Will this complete the work?

Mr. HYMAN. Yes.

Crowe's landing—wharf on south side of Upper Stoney lake, $1,500.

Mr. BENNETT. Will this complete the work ?

Mr. HYMAN. Yes.

Rosseau—wharf, $2,000.

Mr. W. WRIGHT. Is this a new work ?

Mr. HYMAN. Yes ; it is for a small wharf at Rosseau, the total estimated cost being $2,000.

Mr. BENNETT. Is there a wharf there now ?

Mr. HYMAN. I understand not.

Mr. BENNETT. The hon. minister is misinformed. And I can tell him that it is an utterly unfair thing that the man who has had the enterprise to build a wharf there should find himself subject to the competition of a public wharf. Anybody who has ever been in Muskoka knows that the steamboats regularly land at Rosseau. They have been landing there, to my knowledge, for twenty-five years. I suppose the owner of the dock charges the steamboat company for the facilities he provides, as he has a perfect right to do. And now the government is going to make his dock useless by this public expenditure.

Mr. HYMAN. I suppose the hon. gentleman (Mr. Bennett) is familiar with the locality and knows the facts. But very often we

find it to be the case that, while there may be a private dock, the dues collected are not sufficient to keep the dock in repair.

Mr. BENNETT. Some of the largest summer hotels in Muskoka are at Rosseau, and this dock has been used for years.

Mr. HYMAN. That may be the very best reason for having a new dock there provided by the government, or why the government should take over the old dock and keep it in repair. It is simply a question of the requirements of travel.

Mr. BENNETT. I suppose that the real reason for it is that the hon. member for Parry Sound (Mr. Watson) wanted an opportunity to boast that he had got some public money spent for a dock there. But it is poor encouragement to private parties to build docks if the government of Canada is going to compete with them and cripple them.

Mr. W. WRIGHT. Is it the government's intention to purchase the dock ?

Mr. HYMAN. I understand there is no suggestion of that kind.

Mr. W. WRIGHT. There are three docks there now, and I do not know where the minister is going to find place for another.

Mr. HYMAN. I will have the matter looked into. I can assure the committee that if there are sufficient docks there now to meet the requirements of the traffic the expenditure will not be made.

Mr. W. WRIGHT. Some of the docks are small——

Mr. HYMAN. Now the hon. gentleman (Mr. W. Wright) begins to qualify it.

Mr. W. WRIGHT. No.

Mr. HYMAN. He said there were three docks, but it may be that there are not three docks capable of doing public business. A pile or two driven and a few boards laid out do not always give the accommodation required.

Mr. BENNETT. Big steamers land there.

Mr. W. WRIGHT. All three of these docks can accommodate the largest steamers.

Mr. HYMAN. That may be at one dock, but perhaps not at all of them.

Midland harbour—dredging, $11,000.

Mr. BENNETT. Where is this to be expended ?

Mr. HYMAN. Part of the work is to be done near the government coal dock and part near where the new elevator is being built.

Mr. BENNETT. Can the minister say what proportion will be expended near the new elevator ?

Mr. HYMAN. I may find it necessary to have a survey made before that can be decided. But I think that it will be about half and half.

Saugeen river—dredging, $10,000.

Mr. BLAIN. What is that for ?

Mr. HYMAN. Part of that is under contract. The dredging is being done near Kincardine.

Mr. BARR. Were tenders publicly advertised for ?

Mr. HYMAN. Yes ; and the contract was let to the lowest tenderer.

Severn river—removal of obstructions at the head of Macdonald's chute—$500.

Mr. W. WRIGHT. I have received communications very strongly objecting to the work that has been done there. The settlers in that district say that the effect has been to lower the water, with the result that their summer trade is practically ruined. A strong petition has been sent to the department asking that a dam be built there to hold this water back. Is it the intention of the department to do anything with regard to that matter ?

Mr. HYMAN. I have received a communication on the subject. I am advised by the engineer of the department that the circumstances are not nearly as bad as stated. The flooding is not sufficient to cause real damage. The difficulty is that if the water is low complaints are made that navigation is impeded, and if it is raised complaints are made that somebody is going to be flooded out.

Rama—wharf on Lake Couchiching, $500.

Mr. BLAIN. Is this a new work?

Mr. HYMAN. Yes, it is supposed to cost $1,200.

Mr. BENNETT. This is an Indian village. Surely the Indians can get out with their bark canoes.

Mr. GRANT. It is true that this is a mere village, but at that point a large number of white settlers in Rama township take the steamer for other points on the lake. When the Indians removed there thirty or forty years ago there was a dock built by the government on public lands, and the approaches also were on public lands, and it is only fair that that dock should be kept in repair. I have visited the place myself, and found the dock sadly out of repair, so much so that the steamers, of which there are two plying daily on the lake, cannot make their usual call. The residents in that locality are put to a great deal of inconvenience, and were not able this year to take the steamer for other ports on the lake.

Northwest Territories—North Saskatchewan river—survey, $5,000.

Mr. HERRON. I would like to draw the attention of the minister once more to the conversation I had with him in reference to getting a small sum of money to assist the people in the town of Frank, in the Crow's Nest Pass. He is spending money lavishly all over the Dominion to assist small settlements, and make wharfs in small inlets around our coast. That being the policy of the government, they should consider all parts of the Dominion. At the town of Frank, the entrance to the pass is obstructed by a slide. A slide came down the mountain and crossed the valley about two miles and a half. There are four or five towns inside this gap, ranging in population from 500 to 1,500. The whole entrance to the pass is blocked up by this slide, and the farmers who live outside, when they want to reach the pass, have to travel up one side of slide 2½ miles and the same distance back again on the other side and across over a mountain about 500 feet high, whereas the distance across the slide is only a mile and a half. In October and November last the people of that locality made a request to the government to build a wagon road across the slide, and the government sent engineers there who worked during the latter part of October and the 1st of November, until election time. They reported to all the people interested who were friends of the Liberal party that a road would be built there immediately. The engineers were on the ground making estimates; I understand the estimate was somewhere in the neighbourhood of $7,000 to $10,000. That road is much needed. There are 4,000 or 5,000 people inside this gap, the farming community lies immediately outside of it, and the miners are inside, so that all supplies have to go into that country around this slide. I hope this matter will be taken into consideration by the government, even at this late date; and as estimates are coming in every day, some provision will be made to relieve the situation. I should think it would be possible to put an item in this year. The people of that country met with a very serious calamity when this slide occurred, and they have suffered a great deal. It would be a great advantage to them to have this road built.

Mr. HYMAN. I remember well the hon. gentleman (Mr. Herron) coming to me on behalf of his constituents. The work, however, is not of such a character that the Department of Public Works can undertake it. It is a mere roadway which does not open any Dominion lands. It is a work that should be undertaken by the provincial government. In the settlement made with the new provinces there is a sum of money included for just such works as this. I do not think the work is of such a character that it should be undertaken by this government; if we did undertake it, we would immediately meet with a great many similar demands from other parts of the Dominion.

Dredging—new dredging plant—generally, $300,000.

Mr. HYMAN. This is to make further provision towards purchasing or constructing new dredging plant. The vote is divided as follows:—To complete the 'W. S. Fielding,' at the Sorel shipyard and the new hydraulic dredge placed under contract with the Polson Iron Works at Toronto, $115,000; three wooden hopper barges for dredge 'George McKenzie,' $7,500; dredge 'Cape Breton,' $30,000; one steel bucket arm for dredge 'Cape Breton,' $2,500; for tug 'Cricket,' new hull, &c., $1,500; new chains, $1,000; total, $158,500. Ontario and Quebec: various expenditures, $271,385. New plant and contingencies, $20,115, making a total so far specified of $450,000. Deduct vote in main estimates for 1905-6, $150,000, leaving supplementary vote required, $300,000. It is difficult to get contractors to buy dredges because they are only getting small work to do. They have not been in the habit of building suction dredges or even dipper dredges of large capacity to do the larger works.

Telegraph lines—Quebec—land line Descente des Femmes to Sacré Cœur, north shore river Saguenay, $4,000.

Mr. BLAIN. Is this a new line?

Mr. HYMAN. This is not a new line, but an extension of a line. At the present time we are using a cable, but we find great difficulty in working the cable, especially when the ice forms, and by building this piece of line we can reach Tadousac and cover the whole shore without the use of the cable.

Grosse Isle quarantine telegraph system—to provide for the establishment of two Marconi wireless stations as an alternative to the submarine cable connections, $5,000.

Mr. HYMAN. That is in connection with shipping, and is to provide an alternative to the cable that is used.

Telegraph lines—Northwest Territories—Qu'Appelle-Edmonton and Moosejaw-Wood Mountain section—for distribution and part renewal of poles along the line, $2,500.

Mr. BLAIN. When was this line constructed?

Mr. HYMAN. This is a line which was constructed twenty years ago.

Telegraph lines—British Columbia—Nanaimo-Parksville, Alberni-Cape Beale lines—to provide for settlement of Canadian Pacific Railway Company's account for the general overhauling of these lines in 1902, $3,634.21.

Mr. HYMAN. This account was in dispute for some time.

Mr. BLAIN. Is that a settlement in full?

Mr. HYMAN. It is a settlement in full.

Public Works—chargeable to income—miscellaneous—temporary, clerical and other assistance, inclusive of services of all persons required who were first employed after July 1, 1882, notwithstanding anything in the Civil Service Act, $12,000.

Mr. HENDERSON. Did we not vote something like this in the main estimates?

Mr. HYMAN. Yes.

Mr. HENDERSON. It is strange the whole thing was not provided for.

Mr. HYMAN. The difficulty is, so early in the year, to make an exact estimate. There have been no new clerks engaged.

Telegraph lines—Yukon Territory—Ashcroft-Dawson line and branches, $25,000.

Mr. HYMAN. I beg to move that this item be struck out.

Mr. HENDERSON. Was the government a large sufferer by the recent fire in that district?

Mr. HYMAN. I have no reports to the effect that we have suffered.

Mr. HENDERSON. I see that, according to the newspaper reports, there was considerable damage.

Mr. HYMAN. No such reports have reached the department.

Mr. HENDERSON. Perhaps the lines which were damaged were not government lines.

Item dropped.

New departmental buildings, Ottawa, including site, $500,000.

Mr. HYMAN. I promised to make a statement with regard to the necessity for erecting a new departmental building in Ottawa. The rentals now paid in the city of Ottawa have reached such a large sum, and the extent of the extra accommodation required is so great, that the time has come when it is in the public interest that a new building should be provided. There is now rented for Dominion purposes in Ottawa, floor space equal to 170,000 superficial feet, and it would require two buildings of the size of the Langevin block and one storey higher, to afford sufficient room to house all the different offices which are now located in outside buildings in this city. I have here asked for a vote of $500,000 and I would be very glad to hear the views of hon. gentlemen in regard to the location of these proposed buildings, I do not think I should tell the House where we might contemplate erecting such buildings, for the reason that the very moment the selection is announced the land immediately rises in price very rapidly, and there would be considerable difficulty in purchasing the necessary quantity of land. It may be that the price of land in the immediate vicinity of this House would be considered so high that we may have to purchase a site, as near as possible certainly, but not exactly close to the parliament buildings. I recognize that would be inconvenient, but I do not think we should pay an exorbitant price for the land.

Mr. HENDERSON. You could expropriate.

Mr. HYMAN. Yes, and we may have to do so. But even under expropriation we would have to pay a very large sum and there is no doubt that the value of land in this city has been increasing of late years. I will ask the House to kindly leave the matter open as to where the site may be. There can be nothing done in the way of starting the building before we have an opportunity of again meeting the House. It will necessarily take a long time to prepare the plans. If I have the carrying out of the work I intend to erect a modern building with modern offices and not, as in the present buildings, where the clerks have small rooms. I think we should adopt the most modern methods in the erection of the new buildings. Next session I hope to be able to lay before the House the proposed plans and specifications and all the details of the proposed building. It is contemplated that it should not only accommodate all the officers now in the service, but that in its erection we may possibly look to the future.

Mr. HENDERSON. I suppose that the $500,000 now asked for is only a very small part of what this expenditure will amount to in the end.

Mr. HYMAN. Undoubtedly.

Mr. HENDERSON. Can the minister give us an estimate of what the entire cost of the contemplated building may be? Will it be $1,000,000 or $2,000,000?

Mr. HYMAN. I would be unable to do that until we have decided upon the site, because of course the conformation of the ground may make a considerable difference in the cost of the building. I will give the House full information before any contracts are entered into. Until the plans and specifications are prepared it would be impossible to give anything approaching an approximate estimate. This money will be used for the purchase of certain properties and for the preparation of plans and specifications. When the House meets again I hope to be able to give full particulars as to the cost.

Mr. HENDERSON. The objection to this procedure is that this vote of $500,000 will be an authority to the minister to acquire a site for these buildings.

Mr. HYMAN. That is all.

Mr. HENDERSON. The House is divesting itself of its right to say where these buildings should be erected and is leaving the matter entirely to the minister. That is objectionable. It appears to me that the House should have something to say in the selection of a site. I would certainly very much prefer that these buildings should be as convenient as possible to the House of parliament.

Mr. HYMAN. Quite so.

Mr. HENDERSON. It is very inconvenient for members who have business in the departments to have to walk long distances. For my part I am not able to suggest anything, and possibly as the minister says it would not be well even to make a suggestion until an effort has been made to secure a desirable property. However, in view of our power of expropriation I do not think after all that would make very much difference. We can expropriate a man's property, and as I understand it give him what it is actually worth and not what its prospective value would be. I hesitate to hand this power over to the minister because I fear that we are throwing a good deal of responsibility upon him. I do not say that he is not equal to the occasion, but there will no doubt be a great many people to please and a good deal of criticism to be met. We shall meet again within six months and it would be well I think that the minister should get everything in readiness and before he has committed himself absolutely to a site, submit it for the approval of the House.

Mr. INGRAM. Those of us who have lived in Ottawa even for only a short period know that there is property convenient to the public buildings here which has not increased so rapidly in value as other property which is more remote. There is land in the vicinity which is not so valuable for commercial purposes, but which would be just as suitable and just as convenient for the erection of a public building as would be the more expensive property. For instance, land on Bank street and in the direction of the canal is more valuable than it is in the other direction, where it would be just as suitable for government buildings as the more expensive land. That point should be considered, and options should be taken on some of this available land.

Mr. HYMAN. I quite concede the importance of having the buildings as near as possible to the House of Commons. I am only speaking of the remote contingency of having to go some distance from the present building. We have had considerable difficulty in securing options on various properties, because as soon as it is suspected that the government wants to secure a property, it becomes practically impossible to secure it at a reasonable price.

Mr. URIAH WILSON. Has the government bought a piece of property at the corner of O'Connor and Queen streets on which a building has been re-fitted?

Mr. HYMAN. We bought that about a year ago.

Mr. URIAH WILSON. What did you pay for it, and what has it cost to repair it?

Mr. HYMAN. We paid in the neighbourhood of $45,000 for the property. I do not think the whole of the land is covered by the buildings. We bought the property at what was considered to be a very low price. The property was offered for sale, and we bought it through an agent. The whole of the repair staff of the Public Works Department is in the rear of the building, and a portion of the Auditor General's staff and a portion of the Public Works staff occupy the front.

Harbours and rivers, Quebec—Grosse Isle quarantine station—extension of hospital wharf, $24,000.

Mr. HYMAN. This vote is asked for by the Department of Agriculture. I visited this wharf personally last year. Boats have great difficulty in landing there because, if there is the least swell, they ground on the bottom.

To assist in the holding of a Dominion exhibition in the city of New Westminster, British Columbia, during the year 1905, $50,000.

Mr. FISHER. This is a vote which we have had now for several years. Last year the exhibition was held in Winnipeg, the year before in Toronto. It partakes of a Dominion character, and parliament votes $50,000 to assist it.

Mr. BERGERON. Has the government been asked for an amount of money also for Montreal?

Mr. FISHER. I do not think a formal request has come from Montreal. I understand that an organization is being formed in Montreal for the purpose of establishing an exhibition there similar in character to what was held there some years ago. But I am told that the organization is not yet completed.

Experimental farms—further amount required, $10,000.

Mr. HERRON. I see by the Edmonton papers a report that an assurance has been given by the government that an experimental farm would be located at Edmonton.

Mr. FISHER. No such assurance has been given. There is no decision at all.

For the quinquennial census of the provinces of Manitoba, Saskatchewan and Alberta, $75,000.

Mr. FISHER. This is for the census required in the new provinces and in Mani-

toba, in accordance with the Census and Statistics Act. It is to be taken next June.

Mr. BLAIN. Is this the total cost?

Mr. FISHER. No. This is the cost of taking the census. $20,000 or $30,000 more will be required for the compilation. The census will cost probably $100,000 altogether.

Mr. LAKE. Will the minister communicate with the provincial government with regard to the convenience of taking the census? Hitherto portions of townships have been taken for census districts. It would be much more convenient to follow the township lines. If the minister would communicate with the provincial government in regard to that, he would get valuable information.

Mr. FISHER. I am very glad to have the suggestion. The usual practice is for the census to be taken according to the electoral divisions for the House of Commons, but I can understand as those may have an effect on local affairs, I shall have to consider that also.

Mr. BLAIN. In taking the census of 1901, most of the enumerators in Ontario were the Reform chairmen in the different wards. Does the minister propose to continue that policy?

Mr. FISHER. That is not our policy at all. It may have happened accidentally.

Mr. BLAIN. If the facts indicate the policy, there can be no doubt that in Ontario, in most of the ridings of which I have some knowledge, that was the practice followed. Take my own county as an example, the Reform chairmen, all active politicians, were appointed enumerators.

Mr. W. WRIGHT. I would suggest that in future censuses, the municipal boundaries should be used instead of the electoral divisions. In every ten years, you take the census in the older portions of Canada. Then parliament at its first session changes the electoral districts and boundaries and makes new ones, and it would be much clearer to the general public if the municipal boundaries were adhered to in the census reports. Then anybody looking at the censuses could find out much more readily in what riding they were.

Mr. FISHER. The principle adopted in the Redistribution Bill last parliament was that the municipal boundaries should be followed in the electoral divisions, and in the future that will be found to be the case. It will be found that the municipal and electoral divisions coincide very largely.

Additional amount required for mail service, $285,000, and for miscellaneous expenditure, $39,000, $324,000.

Mr. HENDERSON. What does this mean?

Mr. FISHER. This is required on account of the opening of additional post offices. The main estimates were prepared in December last and since then there have been new developments and we need this money to carry out the whole work. The mail service by ordinary land conveyance cost for the first nine months of the last year $775,000 and the whole year up to the 30th June came to about $1,000,000 or $70,000 in excess of the vote of last year. We must expect a similar increase in the year we are just opening. The mail service by railways it is expected will cost nearly $69,000 additional.

Mr. HENDERSON. Is the increase in the land carriage due to the opening of new post offices or to the increased cost of carrying the mails?

Mr. FISHER. Largely for the opening of new mail routes and also to the fact that the contracts cannot be renewed at the old rates.

Mr. HENDERSON. I am glad to know that new sections of country are to be provided with postal service. I think that is quite commendable, we can all realize what a benefit it is to settlers in new sections to have increased postal accommodation. I notice, however, that recently the Postmaster General has been going back on his record with regard to the renewal of contracts. There was a time when the Postmaster General strongly condemned the renewal of mail contracts without calling for tenders.

Mr. FISHER. The renewal at higher rates.

Mr. HENDERSON. I do not think the minister can site a single case where that was ever done. But, under the Conservative regime it was not infrequent to renew a contract at the existing rate, where the inspector reported that the price was fair and reasonable. I myself recommended the renewal of such contracts. But this the present Postmaster General declared to be a pernicious principle, yet he himself renews contracts simply on the recommendation of the inspector. But to show how reasonable the government is in the matter, let me quote two cases in illustration: In the county I have the honour to represent, the county of Halton, there is a mail service covering 7½ miles, six double trips per week, the contract price being $213. This is renewed, to take effect October 1st, at this price. Another mail service starts from a point two miles distant from the other and runs to the city of Hamilton, a distance of 15½ miles, six double trips per week, double the distance of the other, the price being $197. This is also renewed on the recommendation of the inspector. If $197 is a fair price in this latter case, I would like to know how the minister is go-

ing to justify an expenditure of $213 in the other. I am not surprised to see the increase in the cost of the service. However, I am not going to find fault with the increase of the cost of the service; for we have blamed the Postmaster General in the past for starving the service. And I believe he did starve it, merely in order that he might show a surplus in his accounts. I hope that he has made up his mind that he is going to give a fair service, even though his department may not show a surplus.

Mr. FISHER. I do not wish to discuss old affairs as to the conduct of my hon. colleague the Postmaster General (Sir William Mulock). My recollection is that what he objected to under the old regime was making new contracts without asking for tenders, which was illegal.

Mr. HENDERSON. Everybody would condemn that. And I never heard of it being done.

Mr. FISHER. I think there was a good deal of it done. However, we need not rake over these dead coals. But as to this matter, I know of my own personal knowledge that the Postmaster General has not made new contracts at higher rates than the old contract. But he has renewed contracts, on the report of the inspector, without calling for tenders. Such a renewal is often more economical than calling for tenders, because as compared with the prices of four years ago, the price of services of this kind has risen very considerably. So, when new tenders are called for, almost invariably there is an increased price. Therefore, when the inspector reports that the contract has been satisfactorily performed, the Postmaster General renews at the same price. And this has resulted in economy.

Mr. HENDERSON. I do not think that the explanation of the hon. Minister of Agriculture (Mr. Fisher) is satisfactory. He has not dealt with the cases I cited—$197 for a mail service 15½ miles, and $213 for a mail service of 7½ miles, both renewed without tender. These facts were stated in answer to questions put a few days ago. If $197 is a reasonable price for the longer service, I do not see how the inspector can recommend $213 as a fair price for the shorter one. If the Postmaster General had called for tenders in the case of the shorter service he would probably have been able to make a contract at a lower figure.

Mr. FISHER. Both must have been let by tender in the first place ?

Mr. HENDERSON. I believe so.

Mr. FISHER. And the services have simply been continued at the prices of the original tenders.

Mr. BENNETT. The minister will find that statements have been made that contracts have been given without tender. I asked questions myself with regard to the mail service from Coldwater to Lovering post office. The old carrier, a man named Lovering, took the contract four years ago at $140. And, without calling for tenders, the Postmaster General has increased that by about $30 a year. The hon. gentleman will find these facts on record in 'Hansard.'

Mr. HERRON. Has the department received petitions from the Macleod Board of Trade setting forth the need for a mail clerk on the train between Macleod and Calgary? Many complaints have been made concerning the state of this mail service and the need of appointing this mail clerk.

Mr. FISHER. I will have the matter looked into.

Mr. A. A. McLEAN. The inhabitants of North Lake and Lakeville, in King's county, P.E.I., have been urging certain matters upon the attention of the department for the last six months. It seems that, since November last, these post offices have been removed. These two settlements are two of the oldest in Canada. The people have been put to great inconvenience by the change, and public meetings have been held and representations made to the department, but without success. I have here a letter which reads in part :

> Representations were made to the Post Office Department asking for the re-instatement of the post office at North Lake, but, so far, nothing has been done. The situation is intolerable. The mails are carried nearly two miles past the settlement to Black Point and the people of North Lake are obliged to pay out of their pockets a monthly payment for the mail carrier to bring the mails back and leave them in boxes at their gates. The statement goes to prove that there was a scandalous plot to mislead the authorities into committing an outrage upon this community.

Now here are only two instances. I know several other instances in which that has been done since the last election. I think it is very unfair that settlements which have had the advantage of a post office previous to confederation should now be deprived of that advantage. I ask the authorities to take this matter into consideration, because it has been represented to them many times already without success.

Mr. FISHER. This is the first time I have heard of this, but I will look into the matter and see what can be done.

Mr. J. J. HUGHES. The statement made by the junior member for Queen's county (Mr. A. A. McLean) is not accurate at all. The removal of the post office was made to bring it nearer the middle of the settlement, and to give greater accommodation to the people who asked for it. The post office was in the western end of the settlement and it is now near the middle. The

hon. gentleman does not know anything about the facts personally.

Mr. A. MARTIN. I would ask the hon. gentleman if the post office was not originally near the place of worship, which is generally in the centre of the population? Where it has now been removed, some persons have to travel four miles to get to the post office. The post office was situated, I think, exactly opposite the Roman Catholic chapel, and when the people came to church they could get their mail. In correspondence which I have seen, it is stated that it was done for political purposes.

Mr. J. J. HUGHES. Is the hon. member speaking of the North Lake post office? Because the North Lake office is not near any church or chapel, it is some miles away.

Mr. R. L. BORDEN. Before you leave this item I would like to mention, while the senior member for Halifax (Mr. Wm. Roche) is in his seat, that I have a communication from Mr. J. Sprott Stewart, of Upper Musquodoboit, with regard to a charge which the hon. gentleman made against him in the month of May last. Mr. Stewart is firmly convinced that there has been some mistake of identity. He says:

I was somewhat surprised, on reading the Halifax 'Herald's' report of the proceedings of parliament at Ottawa, when the case of Dobey was being discussed, and when you brought up the case of my dismissal. Mr. Roche is reported as saying that it was for abuse that I gave him from a wagon in the year 1900. In answer I have to say that I never met Mr. Roche any time in my life, I never saw him that I know of, I could not say a word against him as a man because I never saw him. I never was at any political meeting held by the Liberals or by the Conservatives for a long time. I never said a word in a political meeting to disturb a Liberal in my life. Mr. Roche must be mistaken. I do not know any harm of that gentleman, and I assure you that the above are all the facts.

He adds in a postscript:

I think Mr. Fielding would say that he has been at our place and was used well, as was also Mr. Longley.

I do this in justice to Mr. Stewart, because I know him well and feel absolutely convinced that there must be some mistake as to the identity of the person who is said to have abused the hon. member. I can assure the hon. member for Halifax that Mr. Stewart is not a gentleman who would be likely to do anything of that kind. I think the Finance Minister, if he knows Mr. Stewart, will corroborate what I say. He is a gentleman of great intelligence and of high character. Although he has the misfortune to be a Conservative, still he is a man of very broad views, and one who gets along very amicably with his neighbours, whether Liberals or Conservatives.

Mr. WM. ROCHE. I do not know the gentleman. I was driving in a wagon and he hauled his wagon across the narrow road. I did not know whether he was a Liberal or a Conservative.

To provide for the expenses of an inquiry into the operation of the tariff, $10,000.

Mr. HENDERSON. I suppose this is to pay the expenses of the three ministers who are to go through the country and make an inquiry?

Mr. FIELDING. Yes, with their secretaries, stenographers, and whatever paraphernalia may be necessary.

Mr. HENDERSON. As long as they do their job well we are not going to quarrel over the cost.

Mr. FIELDING. I can promise you that.

Mr. HENDERSON. I hope they will thoroughly investigate this matter, and if they do discharge their duties as the country hopes they will, and give us such a report as the country is anxiously waiting for, the $10,000 will be neither here nor there.

Mr. ARMSTRONG. I wish to urge upon the government that the gentlemen who are appointed to make this inquiry will come up into the oil district and investigate our industry.

Mr. R. L. BORDEN. I do not know whether the hon. minister has given any information to the House as to the constitution of the commission—I do not mean the exact personel, but is the commission to be constituted altogether of members of the cabinet?

Mr. FIELDING. Yes.

Mr. R. L. BORDEN. Has the number been settled?

Mr. FIELDING. Not absolutely. There were three ministers before—the Minister of Customs, the Minister of Trade and Commerce and myself. I really do not know whether my hon. friend the Minister of Trade and Commerce, who is not so agile as he was at that time, will be able to go but if not, some other minister will be substituted. It will probably be composed of three ministers although that is not absolutely determined on.

Printing Bureau—for new and improved machinery and plant, $50,000.

Mr. FIELDING. This item is for additional machinery and plant for the Printing Bureau. The estimate is made up of the following items:

Envelope machine for printing and making postal stamped envelopes	$ 2,500
Three folding machines	5,000
Two large presses	12,000
Three small presses	1,500

Envelope press..	$ 500
Five linotype machines..	15,600
Monotype machines..	7,000
Embossing machines..	1,500

That makes $45,600 and a margin has been taken making the item $50,000.

Mr. HENDERSON. I suppose this new plant will be installed chiefly in the new building?

Mr. FIELDING. Entirely as far as I know.

To compensate the Canadian Bank of Commerce for services in the Yukon from May 1, 1904, to April 30, 1905, $11,000.

Mr. FIELDING. When the Bank of Commerce went into the Yukon first, there was no other bank and we had to offer inducements to that bank to go in by paying them a certain amount. I have forgotten what the original amount was, but we have been whittling it down to a very small figure until the time has come when we feel that the conditions in the Yukon do not differ materially from those in other parts of Canada and that we will not long be called upon to pay a special amount. But, for the present we pay a commission of three-eighths of one per cent.

Mr. R. L. BORDEN. What is the basis of it ?

Mr. FIELDING. Three-eighths of one per cent is the present rate. It was originally a very much higher rate but it has been whittled down from year to year.

Mr. R. L. BORDEN. What are the grounds upon which you give them compensation that you do not give to any other bank?

Mr. FIELDING. At the time that we made this arrangement there was no bank in the country and in order to induce the Bank of Commerce to go in we were obliged to make a special arrangement with them. Of course every year since then Dawson has been settling down to the ordinary conditions of Canadian cities. Year by year we have been getting down more to normal conditions and we feel that while we are for the present paying them a small rate the time must be close at hand when we ought to have this business done without any special compensation.

Mr. HENDERSON. This is purely for government business?

Mr. FIELDING. This is just a commission on our own business.

Mr. R. L. BORDEN. I suppose the transmission of actual coin over long distances is one of the grounds.

Mr. FIELDING. Yes, at the beginning there was no coin. Everything was done on the basis of the nugget of gold. If a man wanted a drink he put on the counter as much gold as would pay for it. There was no bank in the Yukon and it was necessary that there should be banking accommodation. The risks were very considerable in respect of carrying money, in that new country. The country was not as safe then as it is now. In the last few years affairs in Dawson have been about as safe as they would be in Ottawa. But, the banks did not appreciate that fact at that time and it was necessary to make this arrangement.

Mr. R. L. BORDEN. Are there any other banks in the Yukon?

Mr. FIELDING. Yes, the Bank of British North America is there.

For expenses of taking evidence concerning the public accounts and reporting the same to the Auditor General, under authority of section 57 of the Consolidated Revenue and Audit Act, and to pay for legal and professional advice to the Auditor General, $4,500.

Mr. R. L. BORDEN. Is this an extra vote or the usual vote?

Mr. FIELDING. It is a larger vote which the Auditor General asked for.

Inspection of staples—further amount required for wages and contingencies, $7,500.

Mr. LAKE. What is that for ?

Mr. FIELDING. I have no information. This is an item that comes under the control of the Department of Trade and Commerce.

Mr. LAKE. I am anxious to know whether deputy warehouse commissioners are to be appointed under that item.

Mr. FIELDING. Let it stand.

Item allowed to stand.

Mail subsidies and steamship subventions—further amount required for the Dalhousie or Campbellton and Gaspé Basin service for the year, 1905-6, $2,500.

Mr. FIELDING. This item is for steam communication during the season of 1905, from the opening to the closing of navigation, between Gaspé Basin and Campbellton or Dalhousie. The amount required is $15,000, a portion of which is included in this item. The contract is with the Interprovincial Navigation Company of Canada, Campbellton, New Brunswick. The service is between Campbellton and Gaspé Basin, calling at each of the ports of Dalhousie, Carleton, Maria, New Richmond and quite a number of other ports along the coast.

Steam communication between Port Essington, British Columbia, and the Queen Charlotte Islands for the fiscal year, 1905-6, $600.

Mr. FIELDING. This small subsidy is asked in order that communication may be established with the Queen Charlotte Islands. The Queen Charlotte Islands are of considerable area, being about 3,500

square miles, and contain some of the most valuable timber on the Pacific coast. Parts of the islands are also suitable for grazing purposes. The fishing resources are also of great importance. The population is in the neighbourhood of 300 people—whites and Indians. Intending settlers have refrained from going there in view of the fact that no communication has existed between the islands and the mainland. Their mail service is practically once a year. It is proposed to establish a steamboat communication with the islands from Port Essington, a distance of 100 miles, by the steamer 'Chieftain' running six trips per annum.

Additional for increased steamship service during the year 1905, between Quebec and Blanc Sablon, calling at ports and places along the northern shore of the River St. Lawrence between such terminal points, $12,000.

Mr. FIELDING. A contract has been entered into for a period of four years with Halliday Brothers, Quebec, who are running the steamship 'King Edward,' of 400 tons. The total subsidy will be $20,000.

Mr. ARMSTRONG. What is the total of the mail subsidies we are giving to steamships ?

Mr. FIELDING. I have not that information now, but I will get it for my hon. friend.

Ocean and river service—to provide for the construction of additional ice-breaking steamers for lower St. Lawrence and Northumberland straits, $175,000.

Hon. RAYMOND PREFONTAINE (Minister of Marine and Fisheries). It is intended to provide a new steamer to assist the two steamers plying between Prince Edward Island and the mainland. The steamers at present in use are first-class as far as they go, but for the last two winters they have not given satisfaction, and it is thought that with the construction of a modern ice-breaking steamer it will be possible to give satisfaction on this service. In this item is also included provision for the construction of a small ice-breaker to help the 'Montcalm' in winter, and which in summer will be used as a sweeper on the St. Lawrence route. This system of sweeping the channel was inaugurated about three years ago after a very serious accident had happened to one of the regular steamers plying to the St. Lawrence. It was then represented by the underwriters and the Shipping Federation that the St. Lawrence channel should be swept at least once a year. A steamer is used with the help of a barge, to which is attached a kind of scraper, which runs on the bottom and removes any obstacles which may have been forced into the channel by the ice or by other causes. This work must be done thoroughly. At the present moment it is done as effectively as it can be by steamers which are not specially adapted for the purpose, and, although they have done good work, it cannot be expected that the service can be as well performed as by a specially constructed steamer.

Mr. A. MARTIN. Is this vote of $175,000 for one steamer or for two ?

Mr. PREFONTAINE. This amount would not, of course, provide for the construction of two steamers. It is not expected that the steamer for the Prince Edward Island route will be ready before a year from next November, so that the extra amount required for her can be voted next session. It is estimated that the steamer for Prince Edward Island will cost at least from $250,000 to $300,000.

Mr. A. MARTIN. Perhaps the minister can give us some information about this new steamer.

Mr. PREFONTAINE. The whole question will have to be studied, not only by our own engineers, but by those to whom their reports will be communicated in order that they may be in a position to tender for the construction of the steamer with a full knowledge of the facts. For instance, we intend to procure all possible information covering the last ten years with regard to the winds, the thickness of ice, the shoving of the ice, and all the other conditions in the Straits of Northumberland that may be necessary to form a judgment on the part of those who undertake the construction of the steamer. We shall also provide them with all the necessary information as regards the routes which the steamer will be required to follow, the depth of the water, the currents, &c. With all this information, those who wish to tender will do so with their eyes open, knowing exactly what they are undertaking. It is only by studying the question fully that we can hope to secure a steamer that will give satisfaction.

Mr. A. MARTIN. We have at present two boats on the route, and neither of them is capable of going through the ice in the straits. The Russian steamer 'Ermak' goes through ice very much thicker than any we encounter in the Straits of Northumberland. The Straits of Mackinaw are also navigated, although there is much thicker ice there.

Mr. PREFONTAINE. The circumstances are not at all the same.

Mr. A. MARTIN. Does the minister intend to confine his information to what he can get in Canada ?

Mr. PREFONTAINE. No, but there is no doubt that the conditions in the Straits of Northumberland are not at all the same as those in the waters of the Black sea. The 'Ermak' was the first experiment made

by Russia ten years ago. That vessel cost over $1,000,000, and she was not at all a success. Two years after she was built she had to be remodelled at a cost of nearly half a million dollars. She has been breaking large sheets of ice of four or five feet thickness, not solid ice such as we have in the Straits of Northumberland. Then certain winds prevail at some seasons of the year which make it impossible for a steamer to go through the ice properly; no steamer in the world could be built strong enough to go through the piles which accumulate at certain points. But we think steamers can be built to go through the crevasse which will open through a thick bank of ice. All these matters are being studied, and we are gathering information everywhere that ice breakers are in use with the expectation that we shall be able to provide a steamer that will give satisfaction.

Mr. A. MARTIN. Is the minister going to build a much heavier steamer than either of the two now in use ?

Mr. PREFONTAINE. It is almost impossible to say in advance what kind of steamer will be required. I do not think it will need to be a great deal larger than those we have at present; but it will require more powerful machinery and more power of resistance. Last winter was of course an extraordinary one, and it was the first time that the steamers were put in such a condition that there was no crossing for over two months. But of course the question will be studied with all the care possible, and we will try to get the best builders in the world to construct a steamer which will answer the purpose satisfactorily.

Mr. A. MARTIN. The minister is hardly correct in saying that this is the only year in which the steamers were so much delayed. Two years ago they were delayed for two more days than they were even last winter.

Mr. PREFONTAINE. But the hon. member will remember that at that time the steamers were put on two different routes, which was certainly a mistake.

Mr. A. MARTIN. Can the minister give us some idea of when he expects to call for tenders for the new boat ?

Mr. PREFONTAINE. Within the next two or three months.

Mr. A. MARTIN. Will the boat be on the route for the succeeding winter ?

Mr. PREFONTAINE. Yes, so as to have the steamer ready for November, 1906.

Mr. A. MARTIN. What does the hon. minister propose to do this coming season in view of what happened last winter ?

Mr. PREFONTAINE. I cannot do more than put the 'Minto' and the 'Stanley' in the best possible condition and continue the work to the best of our ability.

Mr. A. MARTIN. There is another very important question. It is very doubtful indeed whether, after the minister has provided a new steamer, we will have that communication which we were guaranteed by the Act of confederation, and I would like to hear whether the tests which were made some years ago to ascertain the feasibility of constructing a tunnel—for it must be conceded that communication between the island and the mainland can never be satisfactorily carried out by a line of steamers and consequently the terms of the union cannot in this way be complied with—will be continued. It would be well, while this steamer is being built, that some tests should be made with regard to this proposed tunnel. We have had several delegations waiting on the government, who were received very cordially, and left the capital in excellent humour; and I think that while this steamer is being built, something should be done to test the feasibility of a tunnel. Some years ago the right hon. the First Minister declared that these tests should have been made long ago; and as this is a progressive government, in some respects at any rate, I would like to see the tests they began completed. I do not think the expense would be very heavy. Then if the steamer does not fulfil expectations, there will be some information at hand which could be of service in devising other means of communication.

Mr. FIELDING. So far as the terms of the union are concerned, I regret that I can not agree with my hon. friend. There is nothing in his argument at all on that point. That question is settled. Whatever grievances there were in that connection have been disposed of. But I do think that if a moderate expenditure would complete the investigation of the tunnel, it is desirable that should be done. If it is going to cost too much, I would not recommend the expenditure. However, I would rather have the Minister of Public Works answer my hon. friend.

Further amount required to aid the establishment of bait freezers for the deep sea fishermen in the maritime provinces, $25,000.

Mr. R. L. BORDEN. What is the amount already voted ?

Mr. PREFONTAINE. Twenty-five thousand dollars for the Canso freezer, which is to be put in operation. This one will be situated in Halifax. It has been represented that the Canso bait freezer cannot be communicated with during a couple of months in the winter and at the time when the deep sea fishermen are starting out. By establishing this bait freezer at Halifax, the fishermen will be able to procure bait all the year round.

Mr. R. L. BORDEN. Is the bait freezer at Canso in operation ?

Mr. PREFONTAINE. Yes, under an arrangement made with Whitney & Company. They furnish half the capital and the government the other half, and the bait is furnished the fishermen under certain conditions.

Mr. R. L. BORDEN. In what way is the money provided by the government expended? Is it expended in the erection of buildings and the providing of machinery and plant ?

Mr. PREFONTAINE. The building does not cost very much. It is the machinery which costs the most. The money is applied especially on the machinery under the agreement with Whitman & Company.

Mr. R. L. BORDEN. Would the hon. gentleman bring down a copy of the contract before concurrence ?

Mr. PREFONTAINE. With pleasure.

Mr. R. L. BORDEN. In the meantime would the hon. minister inform me what interest the government will have in the freezer when established ? Is the title vested in Whitman & Company or has the government a certain interest ?

Mr. PREFONTAINE. The government has a half interest. All this appears by the contract.

Mr. R. L. BORDEN. I suppose the contract made with regard to the bait freezer at Canso will be the guide to us as to the terms of the contract at Halifax.

Mr. PREFONTAINE. Yes, the terms are about the same.

Legislation—House of Commons—amount required to cover translation of evidence taken before committee on telephone systems and report geological summary, $2,200.

Mr. ARMSTRONG. As this relates to the geological survey summary, I would ask that arrangements be made to grant the reports of the Geological Survey Department to the public free. I have had occasion to pay for a good many of them. I find that there are many in the cellar of the geological survey that have been there for years. I believe the money collected in payment for these reports is only about $600 a year, not sufficient to pay the salary of the person who collects the money.

To co-operate with the authorities in the celebration of the utilization of ship canals at Sault Ste. Marie, $4,000.

Mr. BARR. What is to be done there ?

Mr. FIELDING. It is proposed to hold at Sault Ste. Marie a celebration of the utilization of the canals. And, as this is partly an American and partly a Canadian affair, application has been made for money to assist in the celebration.

Mr. BARR. On which side will the celebration be?

Mr. FIELDING. On both sides, and on the bridges between.

Contribution towards the reception in the city of Quebec in 1906 of the International Congress of Americanistes, $4,000.

Mr. BARR. What is this all about?

Mr. FISHER. There is an association of gentlemen from Canada, the United States and Mexico, and I believe South America also is included, who are devoted to anthropological research dealing with the original natives of America. They hold a gathering every year, or every second year, in some important place on the continent. They have been invited to come to Quebec next season, and this vote is to assist the city and people of Quebec to entertain them.

Mail subsidies and steamship subventions—Steam service between Annapolis and London or Hull or both, $5,000. (To be substituted for item 192 in main estimates, 1905-6, which item is hereby repealed.)

Mr. FIELDING. This is to correct an item in the main estimates which has been carried into the Supply Bill. We propose to repeal that item and to re-enact it in this corrected form.

Additional for steamship services between Canada and Mexico, $50,000.

Mr. INGRAM. Is that in addition to what has already been voted?

Mr. FIELDING. It was intended that this item should stand, as I have not the information concerning it. I believe this amount is intended for the Pacific service. But I would like to have the item stand until I have the information to give to the committee.

Government of the Northwest Territories, $224,580.

Mr. FIELDING. When the first supplementary estimates were prepared, it was hoped that the new provinces would be organized on July 1st, and provision was made in the Northwest Bills for their government. This is to provide for the two months yet to elapse before the new Bills take effect.

Mr. R. L. BORDEN. I suppose it is on a proportionate basis?

Mr. FIELDING. Yes.

Mr. LAKE. Based on the grant of last year ?

Mr. FIELDING. So I understand—it is a proportionate grant for two months.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. I suppose there is not much choice as to the business to be taken up to-morrow ?

Mr. FIELDING. I think we may all agree that we should be free to take up any business that remains.

Motion agreed to, House adjourned at 11.25 p.m.

HOUSE OF COMMONS.

SATURDAY, July 15, 1905.

The SPEAKER took the Chair at Eleven o'clock.

SUPPLY—THE AUDIT ACT.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. HAUGHTON LENNOX (South Simcoe). Mr. Speaker, before you leave the chair, I desire to call the attention of the government to the question which has been before the Public Accounts Committee recently, the question of the Auditor General directly, but indirectly the question of certain improvements and amendments in the Audit Act. Two sessions ago I ventured to bring in a motion urging upon the government, and the First Minister in particular, the necessity for appointing a select committee of members of both sides of this House to take into consideration the question of making the Audit Act more efficient than it appears to be. At that time, owing to the very important business before the House and the consequent preoccupation of hon. members, I was not able to gain for the subject the attention which the public interest demands. I feel that in again venturing to call the attention of the government to this important financial question, I bring it up at a time somewhat inopportune, and when I cannot hope that it will receive that careful consideration which its importance deserves. In discussing this matter we should desire to eliminate it entirely from the arena of party politics, with the purpose of carrying out the scheme which was in the mind of Mr. Mackenzie and the others who introduced this Audit Act more than a quarter of a century ago. Now, it is not for a member of the opposition to outline a policy for a government, and I do not propose to do anything of the kind; but I think that the Prime Minister and those members of the cabinet who have followed this matter with a desire to evolve the best possible system of finance for this great and growing country will be impressed with the feeling that some improvements can be made. It is unfortunate that difficulties which have existed in the last few years between the departments and the Auditor General, and we believe that a system could be evolved which would prevent this friction, and which would redound to the advantage of the country. The scheme upon which the Treasury Board acts under our statute is not, I suppose, all that could be desired, and I believe that if we set to work seriously we could propound a scheme which would prevent the state of things we have had heretofore, under which the men whose acts are to be judged are themselves the judges of their cases. There can be no impartial tribunal where men are the judges of their own case, and that is the condition we have, so far as the Treasury Board is concerned. In many cases one of the members of that board is a minister who is in direct conflict for the time being with the Auditor General, and it is only natural that they should consider the matter more or less biased in favour of the department, and prejudiced to some extent against the Auditor General.

Now I do not know whether it is too late to suggest the possibility of retaining the services of that distinguished official. That he has in all matters been honest and scrupulous in the discharge of his duties, I do not think any one will doubt, that he has not always been right, any one may assume, because no person in that position would be always right. But that he has in the main rendered a vast service to Canada, I think will be generally conceded. With his ripe experience, his great knowledge of financial affairs and the working of the Audit Act, I think that his services ought to be retained if it is possible to do so. And I would now urge upon the government, even at this late hour, to consider whether some adjustment cannot be made which would prevent the acceptance of the resignation of the Auditor General at this critical time in the history of Canada, when we are entering upon largely increased expenditures in various ways, notably in connection with the construction of the Transcontinental Railway. In view of the fact that we must perhaps very soon have a new and inexperienced Auditor General, I feel that it is unfortunate that the government did not accede to my motion of two sessions ago, and refer this matter to a select committee who should consider a revision of the Audit Act, and whether improvements were not needed and could be made. Even at this late stage of the session, I would venture to urge upon the government to appoint a committee to go carefully over the decisions and findings of the Treasury Board, to collect information from other countries having somewhat similar systems, and to present a report to the House at an early date next session, in order that we may have an opportunity to evolve a system such as we require for the financial management of our affairs. Surely it is not too much to suggest that

since our system was founded upon the British system, which was then new—their system of audit, I think, was brought into force in 1856—when we were a comparatively small country, and since we have now expanded so largely, since our expenditure is increasing from year to year, since conditions are changing so rapidly, it is not too much to suggest and to urge that we go to work on this matter and appoint a committee composed of members of both sides of the House with the object of carefully considering methods by which less friction will arise between the Auditor General, who is peculiarly the representative of the people in this matter, and the various departments, and the cabinet as a whole.

There is not only the question of friction but an improvement of the system will result and that perfect confidence that condition which is altogether above suspicion which the right hon. Minister of Trade and Commerce (Sir Richard Cartwright) said was so essential in managing the financial affairs of the country when the Act was introduced will be secured. I believe the idea was an important one which was enunciated by the right hon. Minister of Trade and Commerce at that time that we must be careful not only to secure actual accuracy and actual honesty in dealing with our financial affairs, but that we cannot be too astute in so arranging the law which governs the finances of Canada that this matter shall above all others be absolutely beyond suspicion, that everybody in this country, aye, and everybody coming into this country shall feel that there is an absolute guarantee that there shall be no leakage, no dishonesty, no unfairness in the handling of our accounts and that all shall be plain and square beyond question.

In reference to the improvements that might be made, that is a matter I shall not deal with now to any extent. The Auditor General has given a statement to the Public Accounts Committee which is certainly very valuable as coming from so experienced an officer. We have also the fact that some few years ago the Auditor General caused to be prepared a draft Act containing many valuable suggestions. We also laid before the government a year ago in connection with a motion made by my hon. friend the leader of the opposition (Mr. R. L. Borden) a definite and distinct statement of certain changes which would be very valuable to be made and which ought to receive very careful consideration. We have last and least in this case a very long array of matters, which I ventured to suggest to the House two years ago if any hon. member sees fit to glance over them at any time. But, since I had the honour of speaking upon this question two years ago I have been impressed with the fact that not only should we have a select committee from both sides of the House to deal with the question of the Audit Act, but that, intermediary between the Auditor General and the Treasury Board, we could with great advantage select a small sub-committee of the Public Accounts Committee to deal with certain matters. What these particular matters should be and the arrangement of the duties of this sub-committee, would, of course, develop more and more as experience might teach us, but in the meantime I think that with great advantage, without doing away with the Public Accounts Committee or decreasing its numbers, we could, so as to avoid the prejudice that would arise from reducing the numbers of the committee, have a sub-committee a body which would have specially in charge the reporting to the House from time to time—and therefore having a report supposedly from an absolutely unprejudiced source, without feeling, without passion and without prejudice, as it might not be if it came from the Auditor General or the Treasury Board—all the diffierent questions that arise between the departments and the Auditor General or between the departments, the Auditor General and the Treasury Board. In that way the House would be apprised from time to time of the exact condition of things and this sub-committee would make such recommendations as in their judgment they saw fit. I am not at all sure that it might not be well to have a permanent committee which would be supposed to have charge of that matter not only during the session but between sessions and have a certain amount of control, in the matter of staying the payment of moneys and in this way exercising some control as between the Auditor General and the Treasury Board. Another matter that I think is exceedingly important and it is the only one I will mention now—I will only do it by way of illustration because if we were to discuss this matter fully it would take a very long time—is that there ought to be reasons given for the findings of the Treasury Board. If the Treasury Board, instead of saying baldly that they overrule the Auditor General, would give reasons for their judgment, these matters would become guides in the future and it would be much more satisfactory to the House because the House will see that if these decisions were supported or if they were put upon certain grounds set forth in the judgments we would in time evolve a principle for future guidance. What we have now is simply a dogmatic decision which may or which may not be well founded—some judges say that a judgment may be good but that the reasons may be bad—but which does not afford any principle of action to guide the Auditor General or contractors as to what they may expect in their future dealings with the government. I apologize to the House. At this time when we are all very

anxious to go and I feel that if I had known this matter was coming up I could have made my statement much more definite and at the same time I could have put it much more briefly, but I do feel and I have always felt a very great interest in this question. I believe it is one of the very important matters that we have to deal with and that it is not too much to believe that, with the capacity of the Canadian people and with the capacity of those who as members of the House of Commons represent the Canadian people, and in view of the fact that this Audit Act was experimental to some extent 25 years ago, and that changed conditions have since arisen, it is not too much to say to expect—it is an absolute certainty—that if the right hon. Prime Minister (Sir Wilfrid Laurier) would see fit to appoint a small select committee to investigate the question of the Audit Act, to collect the information, to examine the various findings which have been made by the Treasury Board and the various questions which have arisen in the past 25 years in connection with the working of this Act, great benefit would accrue to this country.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister.) Mr. Speaker, I must say to my hon. friend (Mr. Lennox) that I could not follow exactly the tenor of his remarks and still less his conclusions, but if I understood him correctly his conclusion was simply that we should appoint a small select committee in order to review the working of the Audit Act since it was introduced in 1878. I do not think, in so far as my own judgment goes, that my hon. friend has at all made good his arguments or his conclusions. He stated that the Audit Act, which was introduced in 1878, was experimental. I do not at all agree with that view. The Act could not have been experimental since it was a copy of the British Act, which I believe was introduced by Gladstone in 1856 and which up to the present date has remained the law in England with very little change. In reviewing our own Act from the day it was introduced to the present time, I submit that there is no reason at all to quarrel with its efficiency, even though there have been some differences of opinion as to its working interchanged between one side of the House and the other. The Audit Act is not perfect in every possible detail, but taking it all in all we must admit that it is materially sufficient for the purposes for which it was enacted. The only argument which my hon. friend (Mr. Lennox) has brought against the present Audit Act is that in the case of differences of opinion between the Auditor General and the government these differences are referred to the Treasury Board, which simply means making the government the judges in their own case. I do not dispute that. It is doing that in a sense. The government are a committee of parliament charged with the executive government of the country; it is their duty to carry out the will of parliament, and in doing so differences of opinion arise between the government and the Auditor General which when referred to the Treasury Board practically come before the government again. My hon. friend says that the government are asked through the Treasury Board to revise their own acts. But, to put it more correctly, it is a reference to the government to judge between the Auditor General and the minister who asked for the appropriation. I think I shall have the endorsation of my hon. friends opposite, and especially of my hon. friend from North Toronto (Mr. Foster), when I say that the duty of the Auditor General is simply to see that the money voted by parliament is expended according to the intention of parliament; nothing less or nothing more. In order to perform his duty the Auditor General is clothed with very full powers which he can exercise without any interference from the government.

Mr. FOSTER. Is that intention expressed by the statute.

Sir WILFRID LAURIER. Certainly. I do not see that the statute does anything else than provide that the will of parliament shall be carried out, and that moneys when voted shall be expended honestly and properly, and the Auditor General is to see that this is done. Sometimes there may arise a conflict of opinion between the minister who has charge of an appropriation and the Auditor General, and under such circumstances a reference is made to the Treasury Board, which in effect is the government. But there is something above the government, and that something is this parliament. Parliament can revise the decision of the government, and it is the duty of the Auditor General—it is a duty which he has availed himself of every year of his tenure of office—to refer to parliament immediately upon its assembling the differences of opinion which have arisen between himself and the government. Parliament then has the duty of pronouncing upon the action of the government and of the Auditor General. It has so happened that the present government has had to review the decisions of the Auditor General and to dissent from them. On some occasions we thought he was right and we adopted his views, but in those cases in which we differed from the Auditor General, and every one of which was brought to the attention of parliament, I do not think that parliament challenged the judgment of the government in one single instance. If I am wrong in that statement I want to be corrected, but until I am corrected I make that assertion, and I think in doing so I am speaking by the book. So far as I know also, I do not think that the action of the government was ever challenged in the Committee of Public Accounts. There

may have been occasions on which that committee wished to be informed upon the particulars of one case or another, but when the investigation did take place the matter was invariably not prosecuted any further and the action of the government was not found fault with. My hon. friend (Mr. Lennox) advocates that as a possible improvement upon the Audit Act the Treasury Board should give reasons for their decisions. I do not think there would be much to be said against that. Perhaps it would be well that the Treasury Board should give reasons for their decisions. At all events under the present system even, the reasons of the Treasury Board from dissenting from the Auditor General's opinion may be taken to be the converse of the reasons he has given. The Auditor General makes very lengthy and detailed reports to parliament, and if the Treasury Board differs from the Auditor General it may be taken that their decision is a negative of the position he has taken. However, there is no reason why the Treasury Board should not, like any other revising body, give their reasons for coming to their decision. As I have said, the Audit Act is not perfect. Some few years ago the Minister of Finance introduced a Bill to amend the Act, but the amendment did not commend itself to gentlemen on the other side of the House, and as the session was very far advanced at the time we did not think it advisable to press the Bill. The hon. leader of the opposition has suggested amendments, some of which I would not be disposed to agree with, but some of which might be fairly considered. The Auditor General himself has suggested amendments and these amendments were adopted by my hon. friend from Simcoe (Mr. Lennox), but I must say that they seemed to me to be at absolute variance with our system of government. If I remember aright, the improvement—or rather the change; I was going to say the reform, but that would be still less applicable—the change which the Auditor General wanted and which was approved by my hon. friend (Mr. Lennox) was, in effect, that some judicial authority should be substituted for the Treasury Board.

Mr. LENNOX. I realize that the right hon. gentleman cannot very well recall the facts, but I may tell him that I distinctly pointed out that I could not agree with any suggestion that the judicial system should be substituted for the present system. I recognize that the government must be responsible for its policy, and that under our constitution, in matters of policy the judicial system could not be substituted for the government.

Sir WILFRID LAURIER. What I have said may not be exactly correct to the letter, but at all events that was the effect of the amendment according to my view. If that amendment had been adopted the result would have been that a judicial authority would have the power to say whether or not certain expenditure ordered by parliament should be carried out and if carried out in what way it should be carried out. To this we could not assent. We must abide by the existing system which simply is that parliament votes the money and places it in the hands of the government to be expended.

The next rule is this that any money which is ordered by parliament to be expended must be expended exactly as parliament has ordered, and it is the duty of duties of the Auditor General to see that no money shall be paid unless it is appropriated by parliament and that money shall be paid only exactly as parliament has desired and in no other way. These are the duties of the Auditor General, it is not open to him to go beyond that and I think if he does go beyond that he is exceeding his jurisdiction. He should be an auditor and not a reviser of the will of parliament. I think myself that the present incumbent of the office whose zeal we all know, whose zeal we all recognize, went very often beyond his proper sphere of action in order that he might do very efficient work. The duty of the Auditor General is confined to what I have said a moment ago. My hon. friend says it is a pity we are going to lose the services of the Auditor General who is going to resign. I must say that this is from no action of this government, he does it of his own free will. My hon. friend says we should try to do something in order to keep him. I confess I am at a loss to know what to do. We cannot accept his views if we differ from them, but I repeat that we have done nothing to warrant his resignation, he has asked us to modify the Act in a certain way, we cannot see our way to do it. I do not think it would be wise, advisable or constitutional to modify the Act in the way he desires.

Hon. GEO. E. FOSTER (North Toronto). Might I ask the hon. gentleman in what direction he understands that the Anditor General wants to have the Act amended ?

Sir WILFRID LAURIER. I have not refreshed my mind upon this point for some time past, but at the last interview we had on this point his position was that he wanted to have the Treasury Board done away with in so far as revising his own opinions was concerned, and this power referred to judges of the Exchequer Court and the Supreme Court. I suggest to my hon. friend that this is something that cannot be done under our system of government. I regret the action taken by Mr. McDougall, but it is no fault of ours and therefore as he has made his own position we must abide by it. My hon. friend suggests we should have a small committee to revise the Act. I think we have a permanent committee for all these transactions, the Committee on Public Accounts, and when the Committee on Public Accounts has sat year after

year and has made no report and suggested no serious amendments, since no amendments have been suggested even in any minority reports, I think the Act must be held to be reasonably satisfactory to all.

Mr. FOSTER. I do not intend to make any very extended remarks with reference to the matter but I would like to talk over a few points raised by my right hon. friend (Sir Wilfrid Laurier) who I must say treated the subject in a spirit of great moderation and fairness, if I may be allowed to say so, without any partisan tinge.

Sir WILFRID LAURIER. Hear, hear.

Mr. FOSTER. The hon. gentleman questioned the need for a revision of the Act. Well that is a matter of opinion. The whole matter of auditing and controlling the details of the great expenditure of a government is after all a thing to which the average member of parliament does not pay much attention and—may I say it with all respect to members of parliament—may not be the best judge as to the need for revision or new enactment. It is a very technical matter. I myself have given some attention to it, but I do not consider I am an authority upon it at all, only I have had actual experience and knowledge of some points in it which probably can only be gained in that way. You have an Auditor General who was appointed by the government some 25 years ago, who was not a member of the party opposed to the present government. His affiliations and everything of that kind were in line with that party, his sympathies were most strongly with that party, he was appointed, I suppose partly from party considerations but mainly because he was considered a strong man and one who would make a good Auditor General. For 25 years after he was appointed in that way his course has been laid and the result of his work is known to parliament and to himself and on that 25 years' experience he founded a very strong demand for a revision of the Act. The point I am making is that the man who has, every day, worked with the machinery finds out its strong points and its weak points. The Auditor General is not indisposed towards the government in the matter of party, but I think has always shown himself an honest man working from conviction. No man can always be right, errors will be made by the best of men. The Auditor General himself may have committed errors, I think he will not contend that he has not, but I believe we all feel on both sides of the House that his aim has been to make an honest, straight audit, and as far as parliamentary expenditures go to control them with reference to the interests of the country. My experience of the Auditor General—and I think it will be the experience of both parties—is that he has not been an unreasonable man. In the course of my connection with him I have found that when the Auditor General has taken a position, after having explained everything to him he has been most reasonable, and if the public interest in any way would be shown to suffer by a technicality or perhaps even by more than a technicality on which he insisted, I always found him reasonable and ready to suggest some way out of the difficulty for the time being until matters could be decided, I have never found him unreasonable in that respect, but I have always found him most uncompromising in his desire and aim to have the will of parliament carried out in the details of expenditure under his supervision. As I say it is a pretty strong point that after an experience of 25 years from a man who has had an eye single to the interests of the country he takes a strong stand that the Act is not sufficient for the purposes of parliament, so strong a stand that, although he has years of active work before him, he is yet disposed to give up his position and his salary on the ground that he cannot fully and completely carry out his duties under the present condition of things and rather than try to do it he would resign from his office. He also expresses a desire to be useful in that line for a number of years yet provided these matters can be arranged to his satisfaction. All that I gather from this is that it is pretty strong presumptive evidence that there are conditions and circumstances under which he finds it impossible to protect the interests of the country fully under the Act as it stands. That I think is a fair indication that it requires at least very careful consideration. We have progressed in all things, we have progressed in finance as well as in other matters, and it is reasonable to think that after 25 years of progress in this country, with its immensely extended expenditures, both in class and in detail, improvements may be necessary now which were not called for in past years. The Auditor General anyway is firmly convinced of the necessity for some improvements in the Act, so convinced that he based upon that his unwillingness to any longer continue to try to do his duty to the country unless these improvements are made. The government may say: We have experience of this too, and we may well judge ourselves as to whether the Audit Act needs improvement or not. I will put about the same limitation on the members of the government as I did on the members of the House; I think that the general run of the cabinet, not having this matter directly under them, are not as well qualified to pass an opinion as to the merits of the Audit Act as the Auditor General himself would be, particularly with regard to the sufficiency of its machinery for the work he is supposed to undertake. The Finance Minister himself comes directly in contact with that work, but Finance Ministers and other ministers in the cabinet are

temporary more or less. I hope in this case they will be temporary as well. I am not averse to a fairly extended period but I would not like to see it go too far. Finance Ministers are temporary, and there is this limitation on Finance Ministers and the members of the government. They belong to a certain party, they have the party work to carry out and therefore their point of view is not quite as disinterested as is the point of view of an officer of the government himself who is entirely impartial. The Auditor General is not temporary, he has had 25 years' experience of the Act and he is not worried in any way by party leanings and influence and he has none of those multitudinous details of party government to carry out which would interfere with the clearness of his views in coming to a conclusion about the sufficiency of the Act so that it is not altogether enough to say that the working of the Act has been generally satisfactory. The man who is best entitled to know, looking at the matter from the country's own interest and from an administrative point of view declares it is not satisfactory, and that under the circumstances of the present and future it will be found less and less satisfactory. The Prime Minister defines the duty of an auditor. I am not making any dissent to the definition the Prime Minister has given as to the duties of an auditor with the qualification that the intention of parliament must be read in its enactments, nor from the debates that took place or anything of the kind and that is what I understood the Prime Minister to mean. He is right in saying that the Auditor General has nothing to do with the policy of the government, he has nothing to do with the considerations of legislation, with the reasons for legislation or with the enactment of legislation. He is there and his duty comes in after the policy has been discussed and decided upon and is expressed in the enactment and in the different clauses of the Supply Bill. His duty is to check the administration or to supervise the expenditures of public funds in the line expressed by the policy of the government, and it is his duty to see that every dollar of that money is in the first place applied to the purposes to which parliament wishes it applied, and in the second place, applied economically to that purpose.

That is why I say the Auditor General's duty extends a little further than seeing to it that the money is expended in the line of the enactment. He has also to follow it through its stages. So far as he possibly can, he has to protect the country against any wrong expenditure, against any over-expenditure, against any extravagance. In all my talk with the Auditor General, in all that I have heard him say, in all his utterances that I have read, he has not asked anything more than this. He does not claim for himself the duty of framing, or in any way revising the policy of the government. His complaint is that after the ink is dry on the enactment and he seeks to carry that enactment into effect, he has not sufficient power to that end, and that he is unduly interfered with in carrying out what I have just defined as his duty.

Well, the Prime Minister (Sir Wilfrid Laurier) says: But all the Auditor General's statements have been made before parliament, and there is no record of parliament having supported the Auditor General as against the government. These things have gone before the Public Accounts Committee, and there is no record of the Public Accounts Committee having expressed itself in favour of the Auditor General's opinion when that opinion clashed with the opinion of the government. Such a statement is all right in theory; but it does not amount to very much in practice. The Prime Minister knows that the Public Accounts Committee is not disposed at any time to revise the government's decision against it; any one who knows that the tendency is to prevent any finding being expressed against the government's contention when that contention is challenged either by an opponent of the government or by a public servant.

Mr. FIELDING. Would that prevent hon. gentlemen opposite from raising the question?

Mr. FOSTER. No. But I am showing that this takes away largely from the force of the contention: Oh, it must be all right, because the Public Accounts Committee and the House of Commons agree with the contention of the government. The opposition are here to criticise; but, of course, it is impossible for them to carry resolutions against majorities that stand with the government. The Public Accounts Committee is appointed, in theory, to revise the public accounts, to suggest improvements, to correct errors. But any one who has attended the meetings of the Public Accounts Committee knows that this is how its machinery works: Those who are opposed to the government go into an examination of an account, they are never assisted by the supporters of the government; but, in ninety-nine cases out of a hundred, they are opposed by the supporters of the government, either by every circumstance that can mitigate unfavourable criticism being suggested or by obstacles being actually thrown in the way to prevent a successful issue of the contention of the opposition. Of course we all know that. We need not feast ourselves upon theories when we know exactly what the practice is. So, it is not sufficient answer to the practical difficulty to say: Oh, it must be all right because there has been no protest from the Public Accounts Committee of the House of Commons. But it is not correct to say there have been no protests from the House of Commons. There have been protests from

the opposition, much criticism has been heard from the opposition in putting their views before the House. As I read the opinion of the opposition, they do not contend that the Auditor General should dictate the policy of the government or override that policy. But they do want the Auditor General clothed with sufficient power that he may see to it that money voted by this House is expended on the line of the appropriation and with every possible economy.

Well, now we come to the question of the Treasury Board. This is one of the Auditor General's chief objections. He objects that when, in the course of his administration he takes objection to a certain action, and the matter goes to the Treasury Board, he is overruled by the very persons who are interested in having his contention negatived. The Treasury Board is a committee of ministers of the Crown. And you may say, theoretically, that these ministers will always be in favour of the right being done. But there again, why should we attempt to feed ourselves on theory? We know that in practice this is the state of things: Every expenditure originates in some minister's department. The minister does not recommend it unless he feels that he wants to put it through; and once he has recommended it he does his best to put it through. One of the means he uses to this end is the natural tendency of his colleagues to cooperate with him.

The officer of the government or of parliament who objects is therefore himself against what the individual minister wishes to put through, and it comes to be somewhat of a struggle between the minister, with his sympathizing colleagues, and the officer of the department with his desire to have right done and the appropriation carried out in the spirit of the Act, with reference to due economy. Now I know, and the Finance Minister knows well enough, that these things I have stated have power and force in the Treasury Board. The Auditor General does not ask that there shall not be a Treasury Board, as I understand it; he does not object to a reference to a Treasury Board, he wants it in certain cases; but he does want a Treasury Board so constituted that in some way it will be a fair tribunal, and especially he wants that when they overrule him they shall give a reason for it—that is one of the two strong points in the Auditor General's contention. Now the Prime Minister has said that he is willing to concede that. I do not see why he should not, and why that could not be done. The Auditor General says, I want that, not merely as a matter of satisfaction to myself, but I want to get a series of rules founded upon reasons so that when a case has been referred and the Treasury Board has overruled me and their reasons have been set out, I will have another one added to my precedents of administration.

Mr. FIELDING. Were such reasons given in my hon. friend's time?

Mr. FOSTER. I do not know that they were, I think they were not. But does that make any difference as to whether they should be given? To my mind, I never knew or heard of the Auditor General asking that reasons be given. But if he did wish to have explanations, he generally came to me and I gave him explanations as nearly as possible. But if the Auditor General, in my time, had asked that reasons be given in such cases, I would have thought it was a fair request, because the tenor of it is to aid the Auditor General in future cases of a like kind that come up before him. What objection can there be to that? The Prime Minister virtually says there is no objection to that. Now, if the Prime Minister and the government could arrange that part with reference to the Treasury Board, and they could satisfy the Auditor General that reasons will be given when overrulings are made, I think a strong point of difference between the Auditor General and the present administration is taken away. I believe a statement of that view would go a long way in reconciling the Auditor General to a continuance in his office. I was glad when I heard the Prime Minister say that it looked to him as if that might be an open door through which a reconciliation, even at this late date, could be made, and the services of the Auditor General retained. Now, I do not find, may be the Minister of Finance can tell me more clearly, where, in this Audit Act, the Auditor General asks that there be a judicial revision of the decisions of the Treasury Board.

Mr. FIELDING. I could not put my hand on it, but at some point the Auditor General proposed that, instead of disputes between himself and the minister being referred to the Treasury Board, the proper tribunal was the Court of Exchequer.

Mr. FOSTER. But he does not go so far as to say that every point of dispute shall be referred.

Mr. FIELDING. My recollection is that when a point of difference arose between himself and the government, he thought that the Exchequer Court and not the Treasury Board should determine. I have not had that before me for some time, but that is my recollection.

Mr. FOSTER. I have not noticed in it a cursory examination, and it did not strike me when I went carefully over the Act. I am free to say that if a demand were made that in every case of dispute between the Auditor General and the Treasury Board there should be a reference to a

court, I would think that was introducing rather cumbrous machinery, to say the least of it. But there might be some instances in which a reference would be a good thing, I would not rule that out altogether. But I do not understand that the Auditor General bases his retirement from office to any large extent on that bald position, that an overruling of the Treasury Board must be submitted to an Exchequer Court or any other court. I do not think that is a point which he would insist upon strenuously, and, as I said before, there may be circumstances in which it would be a good thing, both for the government and for the Auditor General, to get the opinion of a judge of the Exchequer Court with reference to certain disputed points. Now outside of these, I do not know of any difficulties which are not reconcilable. On the Treasury Board's overrulings we have come to a point where it is possible for the Auditor General's view to be met. That is one of the strong objections that he makes. Now, I would not like to say that is an absolute bar, I do not think the demand of the Auditor General is absolute in that respect; I do think that an arrangement might easily be made, and an amendment to the Act be made by which in certain cases the opinion of a court could be taken, and taken with benefit both to the government and to the administration of the Auditor General's office.

What are the points outside of that? They are merely matters of detail. For instance, the Auditor General says, I am engaged every day in the matter of vouchers and cheques. No cheques from a department can be issued unless it is signed and countersigned. Certain officers have to do that. Those officers, the Auditor General says, I come in contact with every day. Council does not come in contact with them at all. The Governor in Council appoints those who shall sign and countersign. That is the way it used to be done, that is the way it is done at the present time. Well, now, sometimes they do not know just who are appointed. Sometimes even the minister of the department does not know just who he is recommending. The Auditor General says: If, in the course of my daily contact with these men, seeing the cheques they have signed, if in intercourse even with them, not only by letter and by this constant transaction of business, but personally, I find that one of the men has signed a cheque or countersigned it which was not the right thing to do; if I find that such a man was unable fairly to sign, and that therefore he is unreliable and ought not to be entrusted with that power, I want power to say to that department, I will honour no more cheques until you revise the persons who are signing these cheques, and I give you my reasons for it and ask you to accept them. Take a concrete case. He says, One of these men who was appointed to revise these cheques was drunk, he was not in fit condition to do it, therefore I will not honour cheques signed by him. Now that brings the matter home. Has he not a right, is he not to be commended for keeping his eye upon every one of those sub-officers, and if they are not doing right may he not say, 'Bring me no more cheques that he has signed.' The Auditor General does not ask the right to appoint a man who shall do it; that is the right of the Governor in Council. But he has a right to say to the deputy minister, I will honour no more cheques until you get the proper persons to sign them, and I will give you my report here as to why I consider this person is an improper person.

That is one of the details. What objection can there be to that? Who else has the eye over these men which the Auditor General has? No member of the council. The minister of a department has simply his eye over his own men but not over the other cabinet men. But the Auditor General has his eye on and is constantly in contact, in the transaction of business, with these signers and counter-signers in every department of the service. Why should it not what he asks for be granted? Why does not the government, in the interests of good expenditure, say to the servant who does that: Thank you for calling our attention to that; we will immediately put the proper man there to sign the cheques and see that no improper person is kept there.

These are the main points on which the Auditor General takes objection. He also says: I want to be called the controller as well as auditor. That is done in the United States. I can see no objection to making him controller with the understanding that it does not mean that he is the controller of policy or legislation. What it means is simply controlling the expenditure --controlling it as he did in the case of the Sorel bridge where, looking over the accounts, he found that for piling $1 was charged although 35 cents was the general rule. He happened to know it, and he followed up the clue; and instead of payment being made, as authorized by the government, of $217,000 for the alleged cost of the bridge, the final payment was made on $98,000 as the actual cost. This was ascertained after the Auditor General had, through his own personal supervision, seen that weak spot; when he could not get an engineer from the department he sent down his own engineer to examine and measure, and then brought his engineer's report before the department interested, so that in the end the department paid upon a basis of cost of $98,000 instead of $217,000. I think an Auditor General who does that is to be commended. That is what the Auditor General wants in the way of control. There

are some accounts in which his controlling power is not so great as he thinks it might be made with a view to the more efficient carrying out of the works of his department.

Then he has a grievance with reference to contracts. That is a pretty complicated question, but it is a question of detail. A contract is made and the prices are arranged. Then the Auditor General says: Have the basis of your contract right; make it right by thorough and efficient examination as to the basis upon which the contractor is figuring. But when your contract is once made, follow it out as far as the payments are concerned. Certain things must be left to the engineer. The Auditor General does not object to that. But when those things are left to the engineer, it is the engineer he wants to report, and he wants the payments made as the contract stipulates. But he does not want any payment made in excess of the contract price or conditions. I could give instances—may be I could find them in my own time—to show that charges have been made where I think they should not have been. That, however, is a technical matter into which we cannot go in detail to-day, but that is the other great objection of the Auditor General. He wants the contractor paid everything that is his due. He does not want the contractor to make a loss, through insufficient examination by the government engineer and a contract based upon that insufficient information, which makes the contractor pay more for the completion of the work than the government gives him. He wants the contractor to be guaranteed as well as the government, but once the whole thing is laid down in form of contract, he does not want any payment greater than the contract authorizes.

Those are the main points of difference. There is no other difference between the Auditor General and the government. Then there is the matter of controllership. I should like to see him called controller and be given the authority the position calls for. As such he would only audit the vouchers and accounts, but keep an eye on the expenditure all the time going on, to see that it is, as far as possible, economically made under the conditions of the contract. Why can we not keep the Auditor General's services? It will be a thousand pities if we are to lose two of our strongest and most experienced and best men almost at the same time. It is well known that the Deputy Minister of Finance does not wish to continue much longer in his work and does not propose to do so. He and Mr. McDougall have been the two veterans of the services. They have pulled together with more or less accord. You never can put two men in a department and have them come in contact with each other all the time without having some clashing; but in a fairly amicable way, these two men have, almost since confederation, controlled the administration of our finances. They both have experience, and I would be sorry to see both suddenly taken out from those responsible positions and men of less experience put in their places. It would be a pity if that could not be avoided, especially now when the government is entering upon—outside of its extravagant expenditures on all sides—a great work in which will be expended $100,000,000 to $150,000,000. Just at this time it is much to be regretted that we should have to sustain the loss of a man like our present Auditor General and the loss probably of the Deupty Minister of Finance, and have two new and inexperienced men, to a large extent, take their places. The Auditor General's course all through has been most laudable. For twenty-five years he has been in a very unenviable place, between the man who wants what he ought not to get and the public interests which are to be conserved—not always supported by the government he is trying to serve, finding his greatest difficulty with that government which comes in at the last and with which he was politically affiliated—and that has some weight in the matter—and his course throughout has been straightforward, thoroughly honest and effective. He has been actuated by the one aim, namely, to perform his duty to the letter and in the best interests of the country. I should be sorry to have any useful years of this man's talents and experience lost to this country, because of some dispute with regard to conditions which might be adjusted. Is it not probable that with this olive leaf handed out this morning by the First Minister with reference to a Treasury Board ruling, some means can be taken to settle the other points on which the Auditor General will not, I feel certain, be unreasonable, and thus retain the service for a number of years yet of the man who for 25 years has done such good service to this country?

Hon. W. S. FIELDING (Minister of Finance). The Auditor General has tendered his resignation. That resignation will be promptly accepted. His successor will be appointed and the public business will go on. We would have preferred, notwithstanding our opinion that the Auditor General has treated us in the government most unfairly, that the Auditor General, having now retired, would be permitted to go in peace, and there should no longer be any discussion of his differences with the government. But since hon. gentlemen opposite think otherwise, since they have insisted that the differences between the Auditor General and the government must be discussed, we have to vindicate our own posi-

tion with regard to that distinguished officer. I do it with regret because I have no desire that Mr. McDougall should go away otherwise than in peace and goodwill. At the same time I cannot permit the statements which have been made by the Auditor General, and more or less endorsed by hon. gentlemen opposite—directly or by implication—to go without offering some explanation of the position the government takes. Some of the suggestions which my hon. friend offered for possible improvements in the methods of conducting public business seem to be on the face of them reasonable—I do not say they are not altogether reasonable—but the point I would like to make very clearly is that in so far as they are reasonable every one of them can be carried out within the four corners of the present Audit Act. They do not form reasons for any amendment of the Audit Act whatever. I do not say that the Audit Act is perfect. I am far from saying that experience might not show the need for amendments, but I do earnestly represent to the House that if any amendments are needed they are not needed in the line of the suggestion of the Auditor General. The amendments which he proposes simply increase the obstruction of public business that now exists. I do not differ from my hon. friend from North Toronto (Mr. Foster), as to the intentions of the Auditor General. Far be it for me to suggest that that gentleman at any time of his career acted otherwise than from a sense of what he believes to be his public duty. I willingly at once, lest anything I should say afterwards might convey a different impression, say that I have every respect for Mr. McDougall's intentions and I have not the slightest doubt that that gentleman is a thoroughly honourable man and that his intentions are in accordance with what he believes to be his duty. Now, my hon. friend says, that being so, his aim being good, what need is there for anything more? There is an old proverb that a certain place it paved with good intentions. Good intentions are necessary, good actions will usually come from good motives, but good motives are not everything, and even if he had the best intentions in the world, a man might prove to be a difficult man to deal with, an impossible man to do business with. Our view is that Mr. McDougall has an entire misconception of the purposes of the Audit Act. He is not content to be an auditor, he wants to be a dictator, a controller, not in the ordinary sense that my hon. friend from North Toronto would suggest, but he actually wants to control and to boss the public business of the country. I am bound to say that we are not able to agree with Mr. McDougall in that respect. We think that in his public reports, in his examination before the Public Accounts Committee, in the various documents which he has presented to the public, not always through the medium of his blue-book but sometimes through the medium of the public press, he has shown a spirit which proves that notwithstanding his good service—and I am not one who would detract from that—notwithstanding his long service, notwithstanding his good intentions, his conception of the Audit Act is an erroneous one and, therefore, that he, with all his long experience, while asserting that some amendment should be made to the Act, has by no means advanced any sufficient reasons why these amendments should be made. Now, I think, I shall be able to show the House that Mr. McDougall's conception of his duty as auditor is one which has interrupted public business to a very large extent and one, which, if it were to be continued, would simply obstruct the doing of public business. The Auditor General has two pet matters. If you start to examine the Auditor General upon the price of tea in the Marine Department he will soon stray to the Sorel bridge or the Davis contract. It is important to note that whatever has happened in relation to the Sorel bridge and the Davis contract, whatever has happened in reference to the alleged saving of money from the action of Mr. McDougall, has happened under the present Audit Act and therefore no amendment of the Audit Act is needed to effect savings of this kind, if there were any savings, and that every word that is uttered in relation to the Davis contract and the Sorel bridge, whatever merit there may be in the Auditor General's contention as respects these items, has no bearing whatever on his argument for an amendment to the Act. Every dollar that has been saved, if a dollar has been saved, in reference to these two matters, has been saved under the operation of the present Audit Act, and in neither case in the end has there been any difference between the government and the Auditor General on these two pet questions of that officer. The constant repetition in the discussion of the Davis contract and the Sorel bridge would convey the impression that the government differed widely from Mr. McDougall in reference to this question, and that he has simply had to fight his way against them in order to save this money. Let us look at these two cases briefly. First, we will take the Davis contract. Some years ago in the time of the late government, when the hon. member for Lanark (Mr. Haggart) was Minister of Railways and Canals, a contract was made with Davis & Company for the supply of electric lighting and energy on the Cornwall canal. The price per horse power and the price per light, if my memory serves me correctly, were fixed in the contract, but the quantity of light and power was not fixed. Several years later, after the change of government had occurred, and at the time when the late Mr. Sutherland was acting Minister of Railways and

Canals, Mr. Davis applied for an amendment to the contract in order that the quantity of light and power might be defined. That was not an unreasonable request. If a man was to provide equipment to supply light and power he ought to have a knowledge of the quantity of power and light he needed. Thereupon a supplementary contract determining the quantity of light and power that was to be supplied was made, the minimum quantity being fixed. After some time Mr. Davis made his first application for payment under the contract. The Auditor General raised a question, not as to the liability of the government, strictly speaking, but the Auditor General raised a question as to the propriety of the contract. We thought that the Auditor General was not the one to judge about the policy, but that he should be content to be an auditor. I may say that the Auditor General is constantly taking steps which, although he says they do not constitute an expression of opinion in regard to policy, amount to a revision of the action of the government and the action of parliament in regard to matters of policy. The duties of an auditor are to audit, and they are not to control and dictate to the government or to any department of the government. We have the duties of an auditor laid down in Todd's Parliamentary Government in England, 2nd edition, vol. 2, page 49.

> Still, it is important to remember that the Audit Office was never designed to exercise any direct control over the public expenditure. In the words of Mr. Gladstone, 'it is a board to ensure truth and accuracy in the accounts of the public expenditure, and might properly be termed a board of verification.'

That is the quotation from Mr. Gladstone.

> To attempt to confer upon it coercive and controlling powers, or a right to judge of the propriety or expediency of any such expenditure, would be to transfer to it what strictly belongs to the House of Commons. It is as an auxiliary to the labours of the Standing Committee on Public Accounts that the investigations of the Audit Office are mainly important, and are capable of being made increasingly valuable.

In my view the Auditor General is constantly going beyond the limits of his proper duty and expressing opinions as to the wisdom or unwisdom of a contract, as to whether the arrangement is provident or improvident. In this case the Auditor General took the view that the contract was improvident, that the quantity of power called for was larger than was needed and that the government should not be obliged to pay so large a sum. If he were the proper officer to judge as to the wisdom or unwisdom of the arrangement perhaps he was right, or if there seemed to be some reason to believe that the quantity for which the claim was made was larger than the contract seemed to call for. But what happened? The matter came before the Department of Railways and Canals, it was certified to in the usual way and the claim went to the Auditor General. The Auditor General took exception in the way I have stated and ultimately it came before the Treasury Board. The Treasury Board referred the matter to the Department of Justice and the Department of Justice said: Here is a contract which authorizes Davis & Company to supply certain power and which requires them to supply the equipment for that power; you have agreed to take that and whether you use it or not you are obliged to pay for it. There was a clause in the contract which gave the government power to expropriate the whole property and that clause proved to be a lever which led to a material change being made. The Department of Justice having advised that the government were liable for payment up to the date mentioned in the claim the Treasury Board ruled, without entering into the question of whether the contract was a provident one or not, and acting under the advice of the Department of Justice, that the account up to that date must be paid. It was a legal liability. What was to happen in the future was a question for investigation, but in the light of the report of the Minister of Justice the Treasury Board decided that Mr. Davis was entitled to be paid for the amount of power and light supplied up to that date.

Mr. LENNOX. The minister says the Treasury Board decided that up to that time the government was bound to pay; did they pay according to that?

Mr. FIELDING. My hon. friend is too previous.

Mr. LENNOX. I do not think I am. Let the minister answer the question.

Mr. FIELDING. I am a slower person than my hon. friend, and I will come to that in a moment. I have stated what the Treasury Board decided. Let us see what followed. There was a clause in the contract providing for expropriation under certain conditions, and that clause gave the government the power to bring about a revision of the contract. When that ruling of the Treasury Board was adopted on a certain day, and about the same time, the Auditor General had conversation with some of the ministers on the subject, and instead of adhering to the overruling that had been made, it was arranged that the overruling should be withdrawn, the matter held in suspense, and that the Auditor General would approve payment on account. The whole matter was to be held open for further consideration. Thereupon the order of the Treasury Board which had just been passed was immediately cancelled and withdrawn, and it did not appear in the Auditor General's Report the following session. In consequence of that suspension—if my hon.

friends opposite wish, in consequence of the Auditor General opening the question in that way—the matter was reconsidered. Davis & Company were made aware of the fact that under the power of expropriation their contract could be immediately terminated, and they thought they had better make some other arrangement. Consequently a new contract was made modifying the terms of the first contract, and in the new contract the Auditor General entirely concurred. The matter stands in that position at present. What I want to call attention to is that what the Treasury Board did in that case was to decide, under the opinion of the Department of Justice, that the government of Canada were liable to pay for that electric light and power up to the date for which the payment was claimed, but the Treasury Board did not undertake to decide what the future action should be. That is the whole story of the Davis contract. A new contract was made under the circumstances I have mentioned and a less sum was paid. There was undoubtedly a saving to the public treasury as a result of all that, and so far as the Auditor General's objections were the means of making that saving, I am quite willing to give him the credit of it. But I do not see why, whenever we have a difference with the Auditor General on any other question, he has to hark back on the Davis contract and quote it as a reason for an amendment to the Audit Act. After all, the saving he speaks about was effected under the present Audit Act, which shows that no amendment is necessary for that purpose.

Now we come to the Sorel bridge. That is his other pet. Start the Auditor General on the price of a barrel of herrings in any market in the country, get the question before him, and before long you will run down to the Sorel bridge. What is the history of the Sorel bridge ? The Auditor General was most unfair in his statement before the Public Accounts Committee regarding that case. The Auditor General made the most extraordinary statement that Mr. Schreiber, of the Department of Railways and Canals, had informed him that he had certified to that account because the government obliged or required him to do so.

Mr. FOSTER. I suppose the Minister of Finance was present when the Auditor General said that he was mistaken in that respect?

Mr. FIELDING. Quite so, but in the meantime, in every Conservative paper in Canada the story went abroad that according to the evidence of the Auditor General the members of this government had obliged Mr. Schreiber to certify to a fraudulent account.

Mr. FOSTER. That is not against the Auditor General.

Mr. FIELDING. Except that the Auditor General should be more careful. He is so anxious for his own reputation for integrity, which we all admit, that he ought to be a little more considerate of the reputation for integrity which is possessed by his brother deputy minister, Mr. Schreiber. In the case of the Sorel bridge an Act was passed authorizing the payment of a subsidy of 15 per cent on the expenditure on that bridge. A certificate was sent in by the Department of Railways and Canals, based on an assumed expenditure of somewhere about $217,000. When the Auditor General first began to make a statement to that committee, he conveyed the impression—whether he intended to do so or not—that the Minister of Railways of that date, Mr. Blair, had made a report in favour of the payment of that money without having the support of the chief engineer of his department. Unquestionably that was the effect of the Auditor General's statement, and it was only afterwards and in cross-examination that the Auditor General had to admit that the usual practice had been observed in that case, namely, that the chief engineer and deputy minister had made a report recommending that sum for payment; that is to say, recommending the payment of the 15 per cent subsidy on the basis of an estimated expenditure of $217,000. To this amount the Auditor General took exception—I do not say he was wrong. He sent down an officer to inquire, and came to the conclusion that the statements as to the expenditure on the bridge were excessive and that there ought to be a revision of the claim. The matter was never revised in any official form, but a payment was made by the Auditor General on the basis of his own engineer's report, and that is where it has stayed to this day. Undoubtedly the action of the Auditor General in that case led to the payment of a much less sum than would otherwise have been paid; I think the ultimate payment was 15 per cent on the basis of about $98,000, as compared with $217,000 claimed. Again, I want to point out that that saving—it is far from my desire to deny to Mr. McDougall the credit for his energy in the matter—I again point out that that saving was effected within the four corners of the present Audit Act. You do not need to amend the Audit Act to meet a case like that. There is another point to which I may call attention. In the committee I asked the Auditor General whether he had any discussion with any members of the Treasury Board on this subject, and he said he did not remember but he probably had. Perhaps the Auditor General's memory was faulty on that point. I wish to say that the Auditor General came to me as Minister of Finance and chairman of the Treasury Board and presented his case to me, and I told him that if the facts were found as he alleged, he need have no fear

but that the Treasury Board would cordially support him. When the Auditor General stated before the committee that the matter had not gone to the Treasury Board and that he was fortunate in not having to send it to the Treasury Board, he made a most ungenerous and unfair statement. The matter never came before the Treasury Board, it is true, but the Auditor General had the assurance in advance that if the figures and facts were as he believed he need have no fear but that the Treasury Board would uphold him. As a matter of fact, it never came before the Treasury Board at all, and therefore it has no part in the general discussion as to the overruling of the Auditor General by the Treasury Board. Now, these are the two particular cases which the Auditor General always comes back to throughout the whole discussion on this affair. As I said before, throughout the whole discussion of the affair, no matter on what you examined him, you will find him always returning to the Davis contract or the Sorel bridge case. In neither of these cases have the facts shown any need of amendment to the Audit Act. In the case of the Sorel bridge it was clearly established that if a mistake was made, and it seems there was a mistake, it was made by an officer as old and honoured and faithful as the Auditor General himself, Mr. Collingwood Schreiber. In the Sorel bridge case there is nothing to complain of now, unless you are prepared to discredit and denounce one of the oldest and most faithful servants of the government of Canada, and we are not prepared to do so.

There is a difference between auditing proper and auditing as understood by the Auditor General. I am obliged to say again that the Auditor General's conception of his duties is a mistaken one, is a mistaken conception which is fatal to the proper admmistration of public business. Let me give to the House a few examples. We provide for pensions to judges, and blank forms are sent out every year to the superannuated judges which will entitle them at the close of each month to go to the banks and get the money. It sometimes happens that the last day of the month is Sunday and these judges in some cases have sent in their usual cheques to the banks on Saturday, have asked for the money and have received it. Then when this matter has come before the Auditor General afterwards he has taken the exception that there was no proof that the judge was living on the last day of the month. He has done that again and again, he has objected to a judge being allowed to draw money on Saturday if the last day of the month was on Sunday and has insisted that a judge should wait until Sunday had passed over when he would be able to certify that he was still alive.

Mr. FOSTER. Perhaps he has paid some death claims.

Mr. FIELDING. I submit that as an evidence of not true auditing but of fussiness. I do not say his action was illegal, but I do say it is an extreme interpretation of a statute to insist on waiting until Monday in a transaction of that kind when in an ordinary business transaction where money falls due on a Sunday it is not considered unreasonable if a man should come in on Saturday to obtain his money.

Let us take another example. In the civil service provision is made for leave of absence being granted to the clerks, usually for a fixed time, with no deduction from their salaries. In some cases, as for example in the case of family bereavement, clerks have made application for some increase of leave of absence and instead of the usual three weeks they have been granted four or five weeks, but when we have attempted to pay these men their salaries the Auditor General has come in and said: No, if you give more than three weeks of absence you must dock the clerks. I would not object to the Auditor General raising that question once. It is a legitimate point to raise, as the civil service is a large institution and small matters of this kind may make up a large aggregate. I say it was the duty of the Auditor General when the question was first raised, to present his own views, to seek the advice of lawyers, to refer the matter to the Treasury Board and have a decision and when that matter came to the Treasury Board, they having obtained the advice of the Department of Justice that they have the power to grant the extra week or two, the Treasury Board should be the judges as to whether it is proper to grant the extra leave to the clerks. He is not content to have a policy laid down, but every time a case comes up of a week or two extra leave of absence the Auditor General will hold up the payment. I say this is not auditing; it is pure fussiness. I do not take exception to the Auditor General raising the question once to establish it, I think it would be quite right, I do not say it is an unimportant thing, these little things are important; my contention in that when the point was raised, when it was advised upon by the Department of Justice, when it was settled upon by the Treasury Board and confirmed and accepted by parliament, the Auditor General should accept that and cease to worry these clerks about the payment of an extra week or two.

I shall cite another case. Under the late government an allowance of $10 a day was made to deputy ministers and the higher class of officials when they went abroad, in addition to the expense of their transportation. In the time of the late government the propriety of that was challenged by the Auditor General who took the ground, I think in the case of Mr. Justice Burbidge, or Mr. Justice Sedgewick, one or the other, who was then Deputy Minister of Justice, that a deduction should be made for the

days spent on shipboard. The matter was referred to the Treasury Board of that day and the view was taken that $10 a day, plus the cost of transportation, was intended to be a liberal allowance for the deputy to cover his expenses abroad and that it was not wise to make any deduction.

I do not blame the Auditor General for raising the question. It was a perfectly fair and legitimate question to raise. It was referred to the Department of Justice, and that department advised that it was perfectly within the competence of the Governor in Council to give that allowance, parliament having voted the money in a contingent vote, and that the transaction was entirely legal. The Treasury Board said it was a proper transaction and passed judgment upon it. My hon. friend from North Toronto (Mr. Foster) was Finance Minister at that time, and he accepted the allowance as a fair and reasonable one. It was approved by the Department of Justice as legal and by the Treasury Board as fair, proper and reasonable. Yet, notwithstanding all that, the Auditor General, again and again, every time the matter comes up, raises his objection and fills his blue-book with protests, and tries to stamp an old and honoured official, who has been referred to by the hon. member for Toronto, as little less than a public thief. I think the Auditor General should be a little more considerate of the reputations of others when he expects us to consider, as we do, his own high reputation for integrity.

Another class of cases are those which come up under the Superannuation Act that was passed in 1870—a very long time ago. The basis of that superannuation is a man's average salary for the last three years in the service, with due regard to the length of his service. The number of years he was in service and the average salary of the last three years are the two factors in determining his superannuation allowance. After the Act was passed certain regulations were adopted by the government of the late Sir John Macdonald to give effect to it. Among other things, it was provided that if a man had served less than six months over a year, the odd months should not count to his credit; but if he had served more than six months, he should get the full year. That was the reasonable and sensible view taken by the Conservative government of that day, and it was set forth in an Order in Council which existed for years. Under that Order in Council hundreds and thousands of men were superannuated, but the Auditor General took into his head a few years ago to say that that was not legal. A poor lighthouse keeper, entitled to a superannuation allowance of $250 or thereabouts, in one of the maritime provinces, applied for superannuation. The Treasury Board gave him his superannuation and gave him credit for one year's service, seeing that he had been more than six months in office in his last year. The Auditor General, who had countenanced that method for thirty years—and we know that long use and custom makes law in the absence of any positive statute to the contrary—took it into his head to raise the point of the legality of that proceeding, and cut off from that poor man's superannuation the allowance of one year because he had not served the full twelve months. That is not auditing. That is fussiness. We do not want so much business; we want more auditing.

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. FIELDING. When our discussion was interrupted by the arrival of the luncheon hour, I was calling the attention of the House to what I regarded as the real cause of difference between Mr. McDougall as Auditor General and the government; and that, in our view, is that he has most erroneous ideas as to what the duty of an Auditor General is, and he consequently undertakes to do things which are not appropriate to the functions of an Auditor General, and which, instead of making for the promotion of public business, really cause unreasonable delay, and even obstruction. I cited several classes of cases in which he has taken what I regard as a very extraordinary view, cases in which his objections have not been really necessary in the public interest, but in which the taking of these objections has been a cause of irritation, delay and sometimes of grave inconvenience to the parties affected. Besides the fact that the Auditor General has raised objections of what I call a small kind, unnecessary for the management of the public business, we are of opinion that the Auditor General has delayed the passing of accounts to an unreasonable extent. If any amendment is desired in the Audit Act—and I am far from saying that no amendment should ever be made—it seems to be that what is most needed is machinery for the more prompt despatch of public business than has prevailed under the present Auditor General. With another Auditor General, one who will not be more honest or more zealous than Mr. McDougall—because that gentleman has been most honest in his contentions and most zealous in the discharge of his duties—but one who, will be not less honest, less faithful or less zealous, but a little more reasonable, we may get along without amendment of the Audit Act. The hon. member for North Toronto (Mr. Foster) told us that he had always found Mr. McDougall a very reasonable man. Well, I think the records of this House might be easily quoted to show that the hon. gentleman (Mr. Foster) has not always been of that opinion. My hon. friend did not think that Mr. McDougall was a very reasonable

man when, some years ago, he took exception to the proceedings of the government of a former day. It would hardly be profitable, probably, to go into that further than to say that it is the misfortune of all governments, at times, to differ with the Auditor General. Our differences have not been more acute than those between the Auditor General and former governments. One thing can be said, in making a comparison of that kind, and that is that we have dealt with the Auditor General more generously and liberally than any of our predecessors. The Auditor General has had grievances against previous governments which he does not allege against us. For instance, he complained that my hon. friend (Mr. Foster) would not allow him the money to manage his office effectively; that when demands were made by him as Auditor General which he considered fair and reasonable, my hon. friend (Mr. Foster) —from a sense of economy and public duty, of course; I am not finding fault with my hon. friend for that on that ground—cut down his estimates and would not give him the money he considered necessary for the proper management of his office. The Auditor General complained also that when he desired to make promotions, he would not allow him the votes of parliament necessary for the purpose. As I say, I am not assailing my hon. friend for that, or pretending that he was wrong. But, when he says that he always found the Auditor General a reasonable man, I think that even a hasty look back will call to his recollection cases in which he thought the Auditor General anything but reasonable. Evidently, one of them was unreasonable; and I would not like to believe that my hon. friend was the one. Now, we have not laid ourselves open to a charge of that kind. The Auditor General never asked for a dollar of public expenditure for the management of his department that I did not cheerfully place the matter before my colleagues, and carry the appropriation through council and through parliament. The Auditor General never proposed a promotion to which I did not agree and for which I did not come to parliament for the necessary appropriation. He never asked for a dollar for taking evidence, retaining counsel, or employing engineers that I did not secure the approval of parliament to the grant. He never asked for a dollar that I did not recommend successfully to council and to this parliament. We desired to have the fullest and most thorough investigation. My hon. friend denied to the Auditor General what Mr. McDougall regarded as necessary money for these investigations. Now, if we had done that, I could well understand that somebody might come forward and say that we were trying to tie the hands of the Auditor General. Instead of that Mr. McDougall himself has stated in the Committee on Public Accounts that he had received from this government all the aid he had ever asked for. On that ground there is not the slightest difference between the Auditor General and ourselves.

I say that there has been unreasonable delay, amounting to obstruction, and, that in consequence, we have been obliged even to pay interest on the sums the payment of which had been delayed. There was one case in connection with the Davis business, in which, in consequence of the delay of the Auditor General, we had to pay a bill of interest amounting to $10,000. There are cases in which the Auditor General has delayed the payment of accounts until the appropriations have lapsed and the people to whom the account was due have had to wait for another year and another appropriation to get their money. In many cases the Auditor General has failed to expedite public business to the extent that we might reasonably expect.

I have taken from the records of recent years a few illustrations of this kind. I think, as I said before, that what we chiefly need in the way of amendment to the Audit Act, if any amendment is needed, is a change to oblige the Auditor General to take prompt action. The machinery by which the Auditor General is brought into the case of an account is something like this: The account is rendered to the department concerned. The department has the account examined and certified by the proper officers. The account is then sent to the Auditor General for his certificate, so that a cheque may issue in due course. If the Auditor General takes exception, he sends the account back to the department and asks for an explanation. Correspondence follows. Ultimately either the department settles the case—as happens in some instances —or a disagreement arises, and the department appeals to the Treasury Board. It then becomes necessary for the Treasury Board to send the matter to the Auditor General in order that he may submit his statement for the information of the Treasury Board; and, until he can present that statement the matter cannot be brought before the Treasury Board and everything is at a standstill. If the Audit Act needs amendment, it needs amendment to require the Auditor General to make that statement and submit the case to the Treasury Board more promptly than in the past.

Mr. FOSTER. What does the hon. gentleman (Mr. Fielding) mean by saying that everything must stand still until that operation is concluded?

Mr. FIELDING. I mean that the man cannot get his money.

Mr. FOSTER. What about those who are paid by credits?

Mr. FIELDING. I am not dealing with credits at present.

Mr. FOSTER. But probably seven-eighths of the payments are made in that way?

Mr. FIELDING. I meant that everything was at a standstill with relation to this transaction; I did not mean that the world stood still.

Mr. FOSTER. The hon. gentleman said that everything was at a standstill.

Mr. FIELDING. Of course, I meant in relation to this transaction. Surely no other hon. member understood me as meaning to refer to anything outside of the particular transaction. Of course, a considerable proportion of the expenditure is made under letters of credit. And, by the way, that is a matter in which the Auditor General claims to be a law unto himself to a degree that we have never been able to admit. A letter of credit is issued to the department with the authority of the Auditor General, giving them power to expend a certain amount of money under the appropriations of parliament, the money to be accounted for later on. Sometimes, the expenditures are such as do not meet with the approval of the Auditor General; and in cases of that kind, the Auditor General has claimed that in such cases he ought to be the judge whether other letters of credit should be issued. His position is that if he, in his judgment, should make up his mind that that particular expenditure, made under that letter of credit, is an erroneous or mistaken one, from that time forward that department should not receive any letter of credit. Well, that is one of the points on which I think it would be well some day to amend the Audit Act, and have it clearly established that whether a letter of credit shall issue is not the business of that gentleman, but the business of the government of Canada who are responsible to parliament. It would be the business of the Auditor General to set forth his objections to the letter of credit, it would be his business to point out anything which had occurred under a previous letter of credit which, in his judgment, might not be right; but that he should be a law unto himself and decide whether another letter of credit should issue, is something that this parliament cannot recognize provided it has any sense of its obligations under responsible government.

But I was not dealing in this instance with letters of credit; I am dealing with a particular transaction, it may be $100, it may be $10,000, the principle is the same. When a difference arises, when some considerable time has been expended in negotiations between the Auditor General and the department, and when as the outcome of it, there is a dispute between the Auditor General and the department, and the department appeals to the Treasury Board, then we must wait the pleasure of the Auditor General before the Treasury Board can move at all, we must wait until the Auditor General is pleased to submit the papers for the consideration of the Treasury Board. I have taken a few cases by way of illustration, and I find that, going back no further than 1900, the Public Works Department had a difference with the Auditor General as respects the payment of Messrs. Stevenson and Hampshire, temporary employees receiving pay on leave of absence—not a serious matter. I alluded to the fact that the Auditor General establishes a law of his own as to whether a minister shall allow a clerk an extra week of leave of absence, and the Auditor General, again and again, in face of the Department of Justice, in face of the judgment of the Treasury Board, in face of the judgment of the government, in face, practically, of the judgment of parliament, which has these cases before it every year—in face of all that, the Auditor General will continue to enter a solemn protest against leave of absence being granted to some clerk with pay. A case of this kind was sent to him on the 13th day of February, in 1900. It was not a very difficult problem whether this poor man was entitled to be paid for his two or three weeks leave of absence, but what will the House say when I tell them that the Auditor General kept that matter in his office five months before he sent the papers to the Treasury Board to enable the board to deal with them? The papers were sent to the Auditor General on the 13th of February, and he returned them on the 16th of July; the Auditor General kept them a little over five months, kept that man out of his pay for five months while he was holding up that trumpery matter and not allowing the Treasury Board to deal with it.

Mr. FOSTER. Is that a usual occurrence?

Mr. FIELDING. I will show my hon. friend that it occurs too frequently. I find him in the same year having a dispute with the Department of Railways and Canals with respect to the same question, leave of absence of an employee with payment. Papers were sent to the Auditor General on the 23rd of March. It was a question of the same kind the Auditor General had ruled on before, he had the judgment of the Treasury Board, the judgment of the government, and the judgment of parliament, the judgment of everybody who had any right to say anything about it; but he kept these papers in his office till the 16th day of July, three and three-quarters months in that case, before the return was made. I find that in the same year the Justice Department had a difference with the Auditor General with respect to certain payments for legal expenses. The papers were sent to the Auditor General on the 23rd of March, and on July 17, three and three-quarters months later, he sent the papers back to the department in order that the Treasury Board might then exercise its function of overruling. In the same year the Public Works Department had a differ-

ence over the old question, temporary employment and payment during leave. The papers were sent to the Auditor General on the 14th of May, and they came back on the 16th of July. Our good friend was a little more prompt that time, he only kept the papers two months before he gave the Treasury Board a chance to do its work. In consequence of a difference of the same character with the Department of Inland Revenue concerning temporary employment of a couple of persons, one being a lady, I find the papers were sent on the 29th of May to the Auditor General, and they arrived back on January 18, in the following year; they were kept seven and a half months before they were returned to the Treasury Board in order that the Treasury Board might then rule on them. I find that the same year the Geological Survey had a difference with the Auditor General as to the payment of increases to certain technical officers. The papers were sent to the Auditor General on the 11th of October, they came back in the May following being kept by the Auditor General for seven months. In 1901 the Railways and Canals Department had a difference with the Auditor General over the same class of questions, payment during leave of temporary employees. The papers were sent to the Auditor General on the 21st of February, they came back on the 6th of May; that little trumpery matter was kept in his office for two and a half months before the Treasury Board was permitted to receive the papers and rule on the matter.

Mr. FOSTER. Designedly ?

Mr. FIELDING. I really do not know, I am not attributing any motives.

Mr. FOSTER. If the Minister of Finance will allow me—it does not seem to be quite fair that these cases should be placed before us where there is nobody to reply to them. It may be the Auditor General had good reasons in these cases.

Mr. FIELDING. My hon. friend says that he regards the Auditor General as a reasonable man.

Mr. FOSTER. So I do; but how many thousands of other transactions go through the Auditor General's hands, and here are only one or two. There may be good reasons for them, but we have no chance of judging of the reasons.

Mr. FIELDING. I do not think myself any good reason could be shown why a matter of this kind, involving no principle, no issue, involving a very simple question after all—I do not see that any answer can be given for keeping an account of that kind seven months in the hands of the Auditor General, as he has done in some of these cases.

Mr. LENNOX. Is there any provision in the Act to prevent the Auditor General doing that ?

Mr. FIELDING.

Mr. FIELDING. That is just the trouble, there is nothing in the Act to prevent the Auditor General doing it. The Act seems to have been passed on the assumption that the Auditor General would be reasonable, but I am afraid that in that particular point the Auditor General has not fulfilled the anticipation of the framers of the Act.

Mr. FOSTER. I am afraid we will have to revise it.

Mr. FIELDING. Yes, I am bound to say this is one of the points upon which I am disposed to think there is need of revision. We hope we will get another Auditor General, not more honest—I cannot say that—not more zealous, not more faithful, but one who will be a little more reasonable than our friend Mr. McDougall has been.

Mr. HENDERSON. And more pliable.

Mr. FIELDING. I do not think so. I shall be able to show my hon. friend before I finish that if there have been cases in which that gentleman was desired to be pliable he (Mr. Henderson) has been grossly negligent of his duty in failing to call the attention of parliament to them. I find that in 1901 the Railways and Canals had a difference over the payment of a temporary employee during leave of absence, and the papers were kept by the Auditor General from the 21st of February to the 6th of May, two and a half months in his office. I find that in the same year there was a difference with the Justice Department as to payment for certain services in the case of Lussier vs. The Queen; the papers were sent to the Auditor General on the 19th of July and they were returned to the Finance Department on the 28th of December, following; they were kept five months. In the meantime the appropriation lapsed, the men did not get the money, and when the Auditor General was willing that they should get it and returned the papers, the appropriation had lapsed, and then we had to keep these men waiting till we got another parliamentary appropriation. In 1902 there was a difference in the Trade and Commerce Department with respect to the payment of bounties on iron and steel. The papers were sent to the Auditor General on the 24th February, 1902. They came back on the 17th May. They were kept two and three-quarters months. I find in the same year the Department of Agriculture had a difference with the Auditor General with respect to a few days' services as Deputy Minister of Agriculture. The papers were sent to the Auditor General on the 11th July and they came back on the 23rd September. They were kept somewhat over two months. In the month of January, 1905, there was a difference with the Department of the Interior with respect to the payment of certain travelling and living allowances. The papers were sent to the

Auditor on the 11th January. They were received back on the 10th May. The Auditor General kept them over three and three-quarters months.

Mr. FOSTER. I have noticed in the Auditor General's correspondence as brought down that first the claim and the vouchers come in and then, if the Auditor General objects, he writes to the department and asks for an explanation. Time and again it takes him weeks and months before he gets an explanation from the department. It may be that some of these delays were due to that cause.

Mr. HAGGART. Is not the initiative with the department and not with the Auditor General ? Would it not be the department which would bring the matter before the Treasury Board ?

Mr. FIELDING. Certainly, the department does bring it before the Treasury Board. First the Auditor General has his correspondence with the department and they fight it out as best they can. Disputes arise and very often they are satisfactorily explained and settled. But I am dealing with cases that are not settled, cases in regard to which the Auditor General and departments have differences. First the department sends the papers to the Auditor General ; if he is not satisfied he seeks an explanation, the matter again comes before the Auditor General and if the Auditor General and the department cannot agree then and not till then does it come before the Treasury Board. The hon. gentleman is quite correct in saying that the initiative is with the department. The department must send its statement to the Finance Department. The department discharges its duty, the department makes its appeal against the decision of the Auditor General to the Treasury Board. Then we require a statement from the Auditor General and it is at this stage that the delays occur. I do not care who is responsible for the delay ; I say that if the Audit Act needs amendment it needs amendment in the direction of making some one move with more rapidity. As I was saying, in 1905 there was a difference with the Interior Department about some travelling expenses. The papers were sent on the 17th of January and they were received back on the 10th May, three and three-quarters months afterwards. There was a difference on the old question again of temporary employment and payment during leave of absence. Some poor clerk had had a couple of weeks leave of absence more than the Auditor General thought was wise, the issue was raised, the papers were sent on the 28th January and they did not come back until the 10th of May, or it was three and a half months between the time that the papers were placed in the Auditor's hands and the time they came back again. In February of this year the old trouble occurred again and there was a difference with the Interior Department as to increases to certain temporary employees. The papers were sent to the Auditor General on the 6th February and they came back on the 10th May, having been detained for over three months. Then there was another difference on the 15th February in regard to the payment of temporary employees during the time they spent at the military camp. Some of these employees belonged to the militia, they had taken time to go and attend the camp and the Minister of the Interior had been good enough to recognize that as not waste time and he was willing that these men should get their pay and not be docked for the time they were serving their sovereign in camp. But the Auditor General held that up and on the 15th of February the papers were sent and they came back on the 10th of May, having been kept for two and three-quarters months.

Mr. LENNOX. The hon. minister speaks of the delay in payment to certain clerks. Would that delay be as to the payment of the amount that was in dispute only or would it be a delay as to the payment of the whole salary ?

Mr. FIELDING. I think it would only be as to the particular amount in dispute. I have no reason to suppose that it would be more than that. Whether or not the whole salary was held up I am not prepared to say. I am not alleging that anyway, because I do not know. Now I think I have shown enough on that ground to point out that there may be some need of a revision of the Audit Act, but not in the direction which Mr. McDougall has desired. I think that the need of amendment is in another direction altogether, and it is an amendment, if it be required, which would enable parties to get a move on and prevent these very great delays. I have again and again heard hon. members of the House complain of the delay in the payment of very simple accounts, such, for instance, as the accounts for returning officers. I have no record of them here at the present moment, but, as I was speaking, I remembered as my eye caught one of the members from the Northwest, how some hon. gentlemen had complained bitterly of the delay which had taken place in the examination into these accounts and that people were complaining of their failure to receive the money which they had honestly earned. That is just a case which comes to my mind and therefore I do not wish to speak in detail of it, but that there has been much complaint of that character, I am well aware.

My right hon. friend the leader of the government (Sir Wilfrid Laurier) used an

argument this morning which my hon. friend (Mr. Foster) endeavoured to lightly set aside. I am going to bring the matter up again, because I think the argument was deserving of all the weight which my hon. friend gave it and of much more. That was in reference to the action of this parliament upon differences which have arisen from time to time between the government and the Auditor General. From the recent discussion upon the statement of the Auditor General, before the Committee on Public Accounts, from his address to the public through the press in the way of interviews and letters, the public would easily get the idea, I am sure, that where the government have overruled the Auditor General it was a very wicked government and that he has been a very good and virtuous Auditor General. Let me go into the record of this thing. I will begin with the first year after this wicked government came into power when we had to deal with our excellent friend the Auditor General. I find that in the report of 1897, there were eight cases in which the Auditor General and the Treasury Board differed. Some of them were not important; some were. But there were eight cases in which the Auditor General felt obliged to lock horns with the Treasury Board and in which the Treasury Board was obliged to overrule him. When parliament met in the following session every one of these eight cases was brought before the House. The Act requires the Minister of Finance to bring down within a few days of the beginning of the session a statement of the overrulings of the Treasury Board, and in addition to that the Auditor General's Report is brought down as one of the earliest public documents and he sets forth in the fullest detail all the differences which have arisen between himself and the government or the Treasury Board, so that the House, at a very early period of every session, is placed fully in possession of all the cases of difference between the Auditor General and the Treasury Board. What will be thought when I say, that, after the Auditor General's Report had been placed before parliament in the session of 1898 as to the overrulings by the Treasury Board, after the full particulars of these eight cases had been put before parliament, first in a formal way by the Minister of Finance, then in a more detailed way by the Auditor General himself when he presented his blue-book with all his correspondence, with every fact and every letter on the subject, not one of these eight overrulings was ever challenged in this House or before the Public Accounts Committee ?

Mr. SAM. BARKER (East Hamilton). Since my hon. friend the Minister of Finance first spoke of delay, I have sent for the Auditor General's Report of 1900. I believe that the hon. gentleman would like to do justice to the Auditor General.

Mr. FIELDING. Oh, yes.

Mr. BARKER. I find that the Auditor General's protest against the allowance of a certain salary was one case referred to. The first request for an explanation was made by the Auditor General to the Department of Public Works on the 1st of December.

Mr . FIELDING. What is the case, please ?

Mr. BARKER. It is the case of a man named Stevenson ; there are several which come together immediately afterwards. The Auditor General's letter was written on the 1st of December, 1900 (this is evidently a misprint for 1899) to the Public Works Department. The first notice taken of that by the Public Works Department was thirty-four days later, and then, not by reply to the Auditor General. The next is fifty days after the Auditor General's letter, and again it is not a reply to the Auditor General.

Mr. FIELDING. What date ?

Mr. BARKER. The 20th of January, 1900. They correspond with everybody except the gentleman who asked for the explanation. The Hon. Mr. Tarte appeals to other branches, but will not condescend to reply to the Auditor General's letter. Under these circumstances can it be wondered that there was delay.

Mr. FIELDING. The hon. gentleman (Mr. Barker) seems to forget that all that was before the date I have mentioned, and I did not charge the Auditor General with any delay before that. I say that on the 13th of February, 1900, the whole history of that matter was sent to the Auditor General by the Finance Department, and he kept these papers until the 15th of July, five months later.

Mr. BARKER. It does not appear here as if that were so. In this Stevenson case, all the Auditor General asked was for a statement of the reasons for paying Stevenson during his absence and he desired that the statement should be made by the department and not by the individual.

Mr. FIELDING. The hon. gentleman is referring to correspondence between the Auditor General and the department, but that was at an early stage of the business, and my observations are confined entirely to what transpired after the department was done with it and when it came to the Treasury Board. If the hon. gentlemen were to prove any amount of delay before that it does not touch the question.

Mr. BARKER. The complaint of the Minister of Finance is that the Auditor Gen-

eral's inaction prevented the Treasury Board dealing with it.

Mr. FIELDING. Certainly, and I repeat the complaint. The matter as between the department and the Auditor General was closed and the appeal came to the Treasury Board, and it is only then that I take up the history of it and I say that in this very Stevenson case the papers were sent to the Auditor General on the 13th of February, and were kept by him until the 16th of July.

Mr. BARKER. What year?

Mr. FIELDING. 1900.

Mr. BARKER. That is the very point I make. The Auditor General refused the salary of the absentee in December, 1899. (It is printed here December, 1900, but the following letter shows that is an error) and for fifty days after that there was no notice taken of his request for information. It was only at the end of July, 1900, when it was before the Treasury Board, that he had any reply.

Mr. FIELDING. The hon. gentleman is mistaken. I do not say whether the delay on the part of the department is reasonable or unreasonable, but I do say that after the Auditor General and the department had had it out and an appeal had been made to the Treasury Board, the papers were sent by the Treasury Board to the Auditor General and he kept them for five months.

Mr. R. L. BORDEN. I do not know as to what happened then, but if there was obstruction by the Auditor General as the Minister of Finance has characterized it, could he not apply the same term to the department in connection with the fifty or sixty days delay that took place when the Auditor General was trying to get information from it?

Mr. FIELDING. If there was any delay on the part of an official I have no objection to my hon. friend giving censure, but I am only dealing with the case after the period when the Auditor General and the department had threshed it out and when the appeal came to the Treasury Board.

Mr. R. L. BORDEN. Even if that were so, the Auditor General would only seem to have followed a bad example.

Mr. BARKER. The first application for information made by the Auditor General to the Public Works Department was on the 1st of December, 1899. The department did not reply to the Auditor General, but they applied to the secretary of the Treasury Board to overrule his action. This correspondence goes on until May the 14th when Mr. Courtney for the first time writes on the subject of those protests to Mr. McDougall.

Mr. FIELDING. Please read that.

Mr. BARKER. This is it:

May 14th, 1900.

Sir,—I have the honour to inclose herewith Treasury Board file No. 26093, being an appeal by the Department of Public Works in connection with your refusal to pay the salary of Mr. Desjardins as supernumerary clerk in the said department.

Mr. FIELDING. I understood you were dealing with the Stevenson case?

Mr. BARKER. This is the first that comes up after the correspondence.

Mr. FIELDING. The hon. gentleman has been dealing with the Stevenson case and now he is taking up another case.

Mr. BARKER. The Stevenson case was begun on the 1st of December, 1899, and for a month or two afterwards other cases were coming in. From the time the Auditor General wrote to the Department of Public Works for information first, there was a delay of three or four months. Mr. Courtney sends to the Auditor General made up correspondence from the several departments, and then in July it is dealt with by the Treasury Board. There is more blame for the delay to be put on the other departments than on the Auditor General.

Mr. FIELDING. The hon. gentleman must not confuse two cases to create the impression that I have said what is not correct. He was dealing with the Stevenson case and I say that all the correspondence he read in the Stevenson case was before the 13th of February, previous to its coming before the Treasury Board. I have not accused the Auditor General of any delay in the Desjardins case prior to the 14th of May, but that case being sent to him on the 14th of May he kept it until the 16th of July.

Mr. BARKER. On what date was the Stevenson case sent to the Auditor General?

Mr. FIELDING. The 13th of February, 1900, and it came back on the 16th of July, five months later.

Mr. R. L. BORDEN. It is possible there may have been delay in order that the Treasury Board might consider all the cases together. If that is so it should be stated.

Mr. FIELDING. I have no explanation as to that, but I must say that I did not ask the Auditor General for the details.

Mr. R. L. BORDEN. The cases appear to have been dealt with by the Treasury Board on the same day.

Mr. FIELDING. The Treasury Board tries to do its business promptly and I wish we could get all other officials to act likewise. Returning again to the question as to the action of parliament on these overrulings;

I have pointed out that in the year 1897 the Treasury Board differed from the Auditor General on eight different occasions and overruled him. I have heard it said that the Auditor General is always overruled; well, there are many cases in which there is a discussion and in which the Auditor General objects to payment, but it does not follow that every objection which the Auditor General takes comes to the Treasury Board. The Auditor General has his correspondence with the departments. In some cases it is found that his objections are very well founded. Something to which he has called attention if found to be irregular. The error is corrected and the matter is made right and never goes to the Treasury Board at all. So that the Auditor General's objections in a great many cases are not overruled but are recognized by the minister and are met. Whenever he offers objection which is fair and reasonable the ministers are glad to have his assistance and amend the accounts accordingly, but when there comes an issue between the Auditor General and the Treasury Board, then of course a formal overruling has to take place if the Treasury Board so decide. There were in 1897 eight overrulings of that character. The full details of these eight overrulings were brought down to parliament in the early days of the following session and not in any one case was that overruling challenged in this House or in the Committee on Public Accounts. The hon. member for North Toronto (Mr. Foster) says: Oh well, what is the use. Don't we know this House will always stand by the government? Well, it is a very pleasing thought for us to believe that the House will always stand by the government, but that is no defence for my hon. friends opposite. If these overrulings were wrong, if in any one of these cases the Treasury Board acted wrongly in overruling the Auditor General, it was the business of hon. gentlemen opposite to arraign us before parliament, to formulate a motion and divide the House. Why should they care whether the motion prevail or not? They are not always so sensitive on that point. They have proposed a number of motions in the last few days which they could hardly expect to succeed, but their sense of duty led them to move them, and they may propose other motions before the close of the session. We find no fault with that. Surely if they allowed the eight rulings to stand before this House and before the Public Accounts Committee and did not challenge the decision of the Treasury Board in any case, if they framed no motion to challenge the government, if they practically declared in every case that the Auditor General was wrong and the Treasury Board right, they cannot now criticise us because we have overruled the Auditor General.

I now come to the next year, 1898. In that year there were eleven differences between the Treasury Board and the Auditor General, eleven cases in which he objected and the objections were overruled by the Treasury Board. They were brought down to parliament just as before. Not a word was ever heard about them in this House. I think I am correct in saying that in no one instance was a motion made or the action of the government challenged. In 1897 there were eight cases; in 1898 eleven cases. In the following year 1899 we were a little more lucky; our cases of difference that year were only two. I do not know whether the Auditor General had become more reasonable or whether we had become more reasonable, but at all events we did not differ except upon two occasions. They were reported to parliament in the usual way, but no man ever heard a word of question raised about them.

In 1903 there were four cases of overruling, duly reported to parliament. In the next year we had many differences. In 1904 we had no less than seventeen differences with the Auditor General, and on seventeen occasions we had to overrule him. These are dealt with in the last blue-book that was laid before the House. We have now been six months in session and I make the statement that not one of these overrulings has ever been called in question up to this moment. In these eight years we have overruled the Auditor General no less than seventy-two times and in not one case was the action of the Treasury Board ever challenged by a motion in this House or before the Public Accounts Committee. Who was right? Is it a case like that of the man on the jury who dissented from the others and said he had never met eleven such stupid men in his life? Can it be that the Auditor General is right in every case and that the Treasury Board, the government and parliament are wrong? Is he the only man who is right and reasonable? When I present these facts to you and remind you that year after year the differences between the Auditor General and the Treasury Board have been reported to this House, when I remind you that such differences have occurred no less than seventy-two times, when we remember that we have a vigilant opposition in this House—and we will all bear witness to it that they are most zealous in the discharge of their duty—when we remember the meetings of the Public Accounts Committee at which investigations were begun and papers called for, and every effort made by hon. gentlemen opposite—and legitimately made—for the criticism on the Public Accounts, and in the face of all that when we have the fact that on seventy-two occasions the government have differed from the Auditor General and in every case parliament has approved of the action of the government, what warrant is there for saying that this government is wrong and the Auditor General is right?

I have said we are willing to have the accounts audited. We are willing to give the Auditor General the fullest possible power in that respect. But we would like the Auditor General to be an auditor, we would like him to do that in such a manner that the House and the country would approve, and if the Auditor General of the future will just attend to his own business and not do a good many things that his predecessor has insisted on doing, I have no doubt the public interest will be well served and there will be less friction. As I said before it is the business of the Auditor General to audit and that business we are very anxious he should do.

I have in my hand a very interesting article published only two days ago in a most respected newspaper, the Montreal 'Gazette.' It is entitled the Auditor Generalship.' I do not often read newspaper articles here, but I hope I may be excused on this occasion as this comes from a prominent Conservative paper like the 'Gazette' and I think it has a very important bearing on this discussion. The 'Gazette' says :

The Auditor-Generalship.

It will be well if in filling Mr. McDougall's place the government selects an auditor. The highly important duties put by law upon the Auditor General can best be grasped and best discharged by a man whose business training supplements his natural aptitude for the office. Such a man will know what it is well not to do as well as what it is necessary should be done. Some of Mr. McDougall's worries came from his failure to appreciate how much unnecessary work he was doing himself and causing others to do. His annual report as a consequence became so overloaded with details that to continue it upon its present lines will in a few years become practically out of the question. The time will come, and come very soon, when the volume will have to be reduced to what it should have been made at the first, a report upon the work of the Audit Office, drawing the attention of parliament to everything that was irregular in the year's expenditure, pointing out where improvement was possible, and giving in fact such information as the auditor of a private corporation gives to his employers. If and when details are deemed necessary they can be moved for in parliament, or, if deemed well, can be given by the Auditor General himself. As for the powers of the office under the law they seem reasonably ample.

That is not the view apparently of my hon. friend's opposition.

If they are not so parliament should have no hesitation in making them wider and more effective. They must, however, be the powers of an auditor. They should not be of a nature that will enable the man who exercises them to check the will of parliament or prevent the government which has the confidence of parliament from doing what is rightly within its powers or what it may regularly and constitutionally take the responsibility for. The post is one in which a man of capacity, strength and discretion may do most useful service. It will be to the government's advantage, as well as in the interest of the country that such a man should be selected in succession to Mr. McDougall.

I said at the beginning, and I repeat now, that nothing is further from my intention than to say anything unpleasant of our friend Mr. McDougall, the Auditor General. I have joined the hon. member for North Toronto (Mr. Foster) in bearing testimony to his integrity, his zeal, his fidelity according to his view of his duty. Our difference with him arises from our belief that his conception of his duty is a mistaken one, that he is not content to do the duty assigned to him, but that he is desirous of doing duties which practically touch upon questions of policy and wishes to set himself in judgment not only upon the accuracy of the account, but upon the providence or improvidence of the contract to which it refers. There is no principle more clearly understood under our system of government than that the ministers must accept responsibility to parliament for all financial matters. It is Mr. McDougall's desire, I am afraid, to modify that principle of government. At all events that is our belief ; and believing this, and being convinced that the amendments he has suggested are not necessary, that to some extent they would probably obstruct to a larger degree the public service, we are prepared to take the responsibility of saying that at present it is not necessary to make any amendments to the Audit Act ; but that if amendments should prove necessary in the future we will be prepared to make them in the direction, on the one hand, of giving most absolute protection to the public by means of a most thorough examination, and on the other hand of facilitating the transaction of public business more rapidly than has been possible in the past.

Mr. R. L. BORDEN. After demonstrating by an argument of at least half an hour the absolute necessity for some amendment to the Audit Act, my hon. friend the Finance Minister (Mr. Fielding) concludes by stating that no amendment whatever is necessary. If the hon. gentleman proved anything at all within the last half hour, if his assertions are to be taken at their face value, then public business has been obstructed during the past fifteen years simply because the Audit Act has not been amended.

Mr. FIELDING. I did not say that.

Mr. R. L. BORDEN. That is exactly what the hon gentleman did say in effect. He said that the public business of the country had been obstructed as much as seven months at a time because the Auditor General did not return certain papers to the Treasury Board and enable that board to proceed with the work. He said that it was competent to the Auditor General to act thus under the law, and then added that the Audit Act requires no amendment whatever. A more extraordinary statement never

proceeded from the mouth of a Minister of Finance. Not only he, but the right hon. the First Minister himself, has stated in the debate to-day that they do not claim the Audit Act to be perfect, that they recognize its probable need of amendment, yet with the charming inconsistency which has characterized the Minister of Finance to-day, these gentlemen voted against the reference of that Act to a committee representing both sides of the House. If the Audit Act is not perfect—and the Finance Minister himself has demonstrated, according to his view at least—that it is not—then it would seem reasonable that the amendment of my hon. friend from South Simcoe (Mr. Lennox), which was moved last session, asking that the government should appoint a committee of the House, named by the First Minister himself, to which would be entrusted the consideration of amendments to the Audit Act, it would seem only reasonable that this motion should have carried, and that this Audit Act, admitted not to be perfect by both the Prime Minister and the Minister of Finance, and shown to be very imperfect according to the Minister of Finance, should have been amended in the public interest according to the view of both these gentlemen. I admit at once that the Auditor General must perform the duties of an auditor and that he is not concerned with questions of policy. It is also said that he is not concerned with questions relating to the carrying out of a contract in a particular way. That is just possible, but it seems to me very proper that the Auditor General should to some extent be concerned. I am not going into the Davis contract to which the Finance Minister has referred, except by way of illustration. My hon. friend seemed to invite a discussion of that in all its details and aspects, but as it was discussed last session and the session before, I shall not go into it again except to say that when the Minister of Finance says there was no great difference between the first contract made by the hon. member for South Lanark (Mr. Haggart)) and the second contract, I do not at all agree with him. There was a very great difference. Under the first contract the Crown could not be made liable for a dollar, until it had given notice of the number of lights required; whereas the second contract fixes the number at from 250 to 270 and makes the Crown responsible to that extent. The first contract was for 21 years and the second contract extended the term from 21 years to 84 years.

Mr. FIELDING. I did not discuss the merits of the contract.

Mr. R. L. BORDEN. I do not want to discuss them either but am only using this as an illustration. I am not concerned in these matters between the Auditor General and the government with respect to the Davis contract, except in one respect, and it is this. The Minister of Finance says the Auditor is fussy, that he concerns himself with matters of policy and questions relating to the providence of a contract. He tells us that the Auditor General should not have anything to do with these matters, and yet he justifies him for taking the steps he did in respect to the Davis contract. But if the definition of the Minister of Finance regarding the duties of the Auditor General be correct, then the Auditor stepped outside the bounds of his duties because the matter with which he was there concerned himself related to the providence of a contract entered into by this government. With the same inconsistency the Minister of Finance, in the first place, had the objections of the Auditor General to that contract overruled; but after that he stayed the proceedings on the Tresury Board overruling and adopted some of the suggestions of the Auditor General. The hon. gentleman cannot blow hot and cold at the same time. He cannot in one breath challenge the Auditor General for thinking himself concerned with the providence of contracts, and then say that that officer was acting strictly within the terms of the Audit Act because he did challenge the terms of the Davis contract.

Mr. FIELDING. I did not object to the Auditor General challenging in his report to parliament any transaction of the government; but I say that where a contract is certified by the Department of Justice to be a contract, he must not withhold payment. He can however expose it before parliament as much as he likes.

Mr. R. L. BORDEN. The Auditor General is either concerned, under the Audit Act, with the providence of a contract or he is not. If he is, the Finance Minister is right in saying that he did no more than his duty in that case. If he is not, then a great deal of the criticism which the Finance Minister has bestowed on him to-day is absolutely uncalled for, and especially so when this old and admittedly faithful servant of the people is taking his departure and when the government should be saying farewell to him with more gracious words. This man has some standing in the country. He had standing in the country before he became Auditor General. He was an old friend and colleague of the late Mr. Mackenzie. He was a Liberal of the old school who sat in parliament with Mr. Mackenzie and Sir Wilfrid Laurier and others now in the cabinet, and whatever may be said of his fussiness, it might surely have been left unsaid on this particular occasion. Whatever else may be said with regard to him, we can all concur in this, that he has been capable, honest, diligent and fearless in the performance of his dutiy. When we can say this of any man who has filled the position of Auditor General in Canada, it seems to me that a good deal of the criti-

cism and the sneers which have been cast at that gentleman by the Minister of Finance might have been spared on the occasion when he is bidding farewell to parliament. I dare say the Auditor General may have been irritating both to previous administrations and this one. I dare say he may have been unnecessarily irritating. Knowing what I do of him, having met him in conversation sometimes, I can readily conceive that in his extreme desire to do what he regards as his duty, he may have been irritating to both administrations. But even if we regard him as unreasonable, we cannot expect a man to properly discharge the duties of that office without some friction between himself and those whose transactions he is bound to criticise for the purpose of safeguarding the interests of the people.

It was not worth while, it seems to me to go over all these complaints respecting matters such as a delay of two days in paying pensions to retired judges. What is the supreme test which must be applied to the actions of the Auditor General ? It is that, as he has the statute, the law of the land, before him, he shall make that his guide and shall no more be allowed by his conscience and his sense of duty to depart from that in small matters than to depart from it in great matters. And if the judges, or any other pensioners of this country, find their money due on Monday morning instead of Saturday night, and they see fit to put in their cheques forty-eight hours before they are due that may be said to be a small matter ; but it is no more than the right and no less than the duty of the Auditor General to call attention to it. While the action of the Auditor General may have seemed small at times, while it may have been irritating, yet it would be well, at this time, when we are saying farewell to him after his long service, not only in public, but in official life, now that he is leaving the high place he has filled for thirty years—I say it would have been better for the Finance Minister to have foreborne some of the remarks he has made. Because, after all, the matter was not approached in a strongly controversial spirit by my hon. friend from South Simcoe (Mr. Lennox) and my hon. friend from North Toronto (Mr. Foster). They did not make a bitter attack upon the government or say anything that should have been irritating. They suggested that the Audit Act required amendment, and that some of the suggestions made by the Auditor General should be accepted. I do not say that all his suggestions should be accepted, or that even all the suggestions that I put forward last year should be accepted. In putting them forward I stated that they would indicate the line on which I would be prepared to support the administration. I do not want the Audit Act so amended as to bring about obstruction of the public service or prevent the government from finding men who will contract to build necessary works. All we ask is that, if amendment be found necessary by a committee of this House, and by the government after the committee's advice is received, such amendment shall be made as shall give the public every safeguard consistent with the responsibility of ministers of the Crown and the maintenance of the principles of government that prevail in this country.

The office of Auditor General, as all agree, is a very important one. But as my hon. friend from North Toronto (Mr. Foster) has said, it is of very special importance at this juncture, when we not only have a greatly increasing general expenditure, and a greatly diversified expenditure, but when we are entering upon a railway policy which will involve the expenditure of many millions of public money. It is probable that in the future the duties of the Auditor General will be even more onerous and more responsible than in the past. I do not know what is the intention of the government in regard to the appointment of a successor to Mr. McDougall, but I do most sincerely trust that, if the government do not intend to take parliament into their confidence on this very important question before the end of the present session, they will at least see that some man is placed in this position who will command the supreme confidence of the people as fully as Mr. McDougall has commanded that confidence during his term of office. I regret that Mr. McDougall has been obliged to resign. I do not for a moment say that in respect of every difference that has occurred between himself and the administration he is absolutely right and the administration absolutely wrong. But I do believe at least he supposes himself to be absolutely right. But he is only human and he may be wrong, and may have overstepped the bounds of his duty. What we want in the appointment to this important office is that Mr. McDougall's successor, in the first place, as I say, shall have the confidence of the people in his absolute honesty, and also that he shall be a capable and intelligent man, and as fearless and determined in the carrying out of his responsible duties as the gentleman who has filled that office since 1878. I say that I regret that Mr. McDougall has felt constrained to resign. I deeply regret that, owing to causes into which I need not enter, perhaps little misunderstandings which might have been got over, his relations with the Minister of Finance, in some respects, have not been as harmonious as they might have been expected to be. I believe they have been absolutely friendly ; but there has been, as we know, more or less friction. The fault may be more or less on both sides. But now, when he is taking leave of us, I think it would be only right that the government, in view of his career and his record during the last thirty years, should mete out to him

generous treatment and put aside any remembrance of the little differences, of the little causes of friction, of the little misunderstandings over the so-called unreasonable conduct of the Auditor General. I think these things are too small to consider at the present juncture, but that we should look beyond and above them and have regard to the sterling honesty and fearlessness of the man at all times in doing his duty to the parliament and the people of Canada.

Mr. SAM. BARKER (East Hamilton). I desire again to refer to the cases mentioned by the Minister of Finance; and I do so because I think he shows there is revision needed in more directions than one. As I said before, the Stevenson case arose first in December, 1899, by a letter written by the Auditor General to the Minister of Public Works, asking an explanation of leave of absence, under pay, granted to Stevenson. According to the correspondence here, it appears that under the law the Governor in Council is prohibited from granting leave of absence with pay for more than three weeks to any regular officer. That being the case, the Auditor General, finding that leave of absence for two months under pay had been granted to this officer, very properly asked an explanation of the department. Surely that was a proper question for him to put; he would have been derelict in his duty if he had not put it. The Auditor General is charged with delay of two and a half months in this case. But it was two and a half months before any notice was taken of his letter. And during this two and a half months another case arose, and afterwards still others, until there were some seven or eight cases in which the same point was involved. The Auditor General wanted to know how far he was at liberty to honour pay-sheets of that kind, notwithstanding the Civil Service Act. It is probable that it was because he desired that all the cases should be dealt with at once that he delayed. Four cases came before the Treasury Board at once,. These cases may be divided into classes. In some cases the Governor in Council undertook to grant more than three weeks leave of absence under pay to regular officers. In another class of cases there were temporary clerks to whom more than three weeks leave of absence was granted. The Auditor General obtained a letter from the Justice Department on the point. Mr. Power, of the Justice Department, said in effect: Mr. McDougall is right; under the statute the Governor in Council cannot grant more than three weeks leave of absence under pay to a regular officer. But some of these men are temporary clerks, and while the statute says that leave of absence of more than three weeks under pay cannot be granted to a regular clerk, there is no such restriction expressed as to a temporary clerk. Well, the Auditor General, not being a lawyer, probably thought that what the Governor in Council could not do with regard to a permanent clerk he ought not to be able to do for a temporary clerk. But Mr. Power construed the law otherwise, and he had to submit. I should say an amendment was required there. When we consider the enormous staff in the employment of the government, the number of temporary clerks who are kept on year after year, and when the provision of the Civil Service Act can be set at defiance with regard to them, I do think we need there, at all events, an amendment to the Act.

Now, with reference to the Sorel bridge. The Finance Minister referred to that, and in doing so imputed to gentlemen on this side of the House a desire to praise one old and worthy servant at the expense of another old and worthy servant. Now I beg to say, Mr. Speaker, there was nothing of that kind said on this side of the House. I think the Deputy Minister of Railways stands as high in the opinion of gentlemen on this side of the House as does the Auditor General. Both men are respected and honoured as old, worthy and deserving servants of the country. There was no intention to impute any impropriety to Mr. Schreiber, or to reflect in the least upon his character.

Mr. FIELDING. Who is responsible, who has done wrong in the Sorel bridge matter if it is not Mr. Schreiber?

Mr. BARKER. I say Mr. Schreiber did wrong, but not intentionally.

Mr. FIELDING. Neither did the department.

Mr. BARKER. I think the government is to blame, I think I will show that the government must have known that the wrong was done, not only the Minister of Railways, but the whole cabinet. Now what occurred in relation to this Sorel bridge? Parliament granted a subsidy to the South Shore Railway Company for the Sorel bridge, the subsidy was to be 15 per cent of the expenditure upon the bridge, but not to exceed $35,000. The government, as usual in such cases, obtained a copy of the contract with regard to that bridge, the plans of the bridge, the specifications of the bridge, all were deposited in the Railway Department. The government was therefore in a position to know all about the structure from the beginning.

Mr. FIELDING. Were they in a better position to know than Mr. Schreiber?

Mr. BARKER. I assume the Minister of Railways knows what is going on in his department.

Mr. FIELDING. Better than the deputy?

Mr. BARKER. I will come to that in a moment—if he does not know better he ought to. He ought to know every detail of this kind where subsidies of considerable

amounts are being paid on his recommendation. Now the work being completed, the railway company sent in a claim for 15 per cent on $242,000 as the expenditure upon that bridge; in short they just made the account of the expenditure sufficient to swell the percentage to the whole $35,000. This being sent in, the government, which had in its possession the plans, specifications and contract for that bridge, never attempted to ascertain, through the engineer's department, what the proper expenditure was. They sent down no engineer to inspect the bridge, they simply sent down an accountant to look over the company's books and see what the company had charged up in its books as the cost of the bridge. Now when the contract they had in the department showed that the contractor for that bridge was the president of the railway company, and when the accounts and statements showed that the same president was appointed by his own company to inspect his own work on the bridge, and was paid $5,000 for inspecting his own work, I think the government should have had some suspicion, and might have ordered an inspection by an engineer. Instead of doing that they simply sent Mr. Gleeson, an accountant, to look at the books of the company, and there of course he found $242,000 was the cost of that bridge. There were no checks, no means of ascertaining, nothing to show whether that money was paid in cash, or whether common stock of the company was given in part payment. Mr. Gleeson made out a statement of all the items in detail and brought it back to the department, and in his report he recommended that as to $57,000 of the expenditure upon that bridge, an engineer should examine the items. That report was made on the 5th or 6th of January. The government never instructed an engineer of the department to inspect one item of that $57,000, never looked at it, and the next day a report was made allowing the whole, no not $242,000, they took off the cost of the approaches, and brought it down to $217,000, thus allowing the company $31,000 subsidy upon their bridge. Well, we have that certified as absolutely correct; and if the Auditor General had simply been an officer to verify figures, to total them up and see whether they added up right, see whether Mr. Schreiber had signed at the foot, and other people had done the same thing; had he merely verified figures and officers' signatures, as the Finance Minister seemed to think he ought to do, the whole of that $31,000 would have been paid. But the Auditor General, though he knew that an Order in Council had been passed to pay that money, presumed to go behind the Order in Council, and examine papers; and finding there that timber had been charged at an extravagant price, seeing $1 a lineal foot charged for piles, and knowing that was double what it ought to be, he sent for an engineer, Mr. Keefer, and instructed him to go down to Sorel and ascertain as closely as possible what the actual cost of the bridge was. Now I will recall to the Minister of Finance the fact that when we were in the Public Accounts Committee he endeavoured to show that the department was justified because the old Act only said that you paid upon the expenditure. It has been altered since, but the old Act simply said upon the expenditure.

Mr. FIELDING. I mentioned the fact that there was a distinction, I did not attach great weight to that.

Mr. BARKER. I think the hon. gentleman intended that the committee should attach weight to it. I do not see why the minister brought that up unless he attached some weight to it. It was the contention that all Mr. Schreiber had to do was to review the expenditure; and he had actually gone to the law clerk of the department and asked if he was bound to send an engineer down.

Mr. FIELDING. Mr. Schreiber called my attention to the fact that there was that distinction, and that is why I mentioned it.

Mr. BARKER. I am saying that the Finance Minister did point out in the Public Accounts Committee that under the Act as it then stood, you paid upon expenditure, as if that justified the payment without regard to reasonable cost.

Mr. FIELDING. No, I did not say it was justified at all, never said anything of the sort.

Mr. BARKER. Well, when I examined Mr. Schreiber in the committee I asked, do you mean to say that when you inquired into the expenditure at that time you were bound to accept the books of the company? And he said: Certainly not. I asked him if the expenditure meant actual exepnditure, and he said, yes, an actual reasonable expenditure. Then I said: If you had found $300,000 in the books, would you have been bound to accept it? He admitted that he would not. He also admitted that he knew that the $5,000 included in that amount as paid to Beauchemin, the contractor, was paid to the president of the company, and he allowed it as part of the cost of the bridge, and the company got paid 15 per cent on that with the rest.

Well, Mr. Keefer, having gone down, examined this bridge, and found that the cost, instead of being $242,000 or $217,000, as Mr. Schreiber had found it through his accountant, was actually about $101,000. Mr. McDougall then took this course. He took all of Mr. Keefer's quantities in the bridge, sent those to Mr. Schreiber and asked Mr. Schreiber to apply to these quantities fair prices and in that way give him the result. That resulted, on the report of Mr. Schreiber himself, in showing that the value of the

bridge was about $98,000 instead of $217,000. Further than that, three months later, after there had been a good deal of discussion, the department sent Mr. Ridout, one of its engineers, down to examine this bridge, and Mr. Ridoubt, allowing for everything, allowing $10,000 for supervision, &c., put the cost at about $102,000. There were thus three estimates—after the work was done—each independent, each allowing a fair price—Mr. Keefer said that he allowed a liberal price, not having been able to see the substructure—and they ran from $98,000 to $102,000. This was the apparent expenditure upon that bridge. Mr. McDougall thereupon paid the sum of $14,700 as subsidy. That was five years ago, and that is all that has been paid to this day. The government had by Order in Council directed that $31,000 should be paid upon that work at the request of the Minister of Railways and Canals, who then had in his department the papers and documents that would have enabled him to have stated approximately what the bridge cost. There was a peculiarity about it all. Take the report of the Minister of Railways and Canals to council, that report having been drafted by Mr. Schreiber himself; you will find that the only straight statement in it which Mr. Schreiber made is that the bridge is completed. That is all he says on his own part. The rest of it is all by the minister. Mr. Schreiber said, as he could conscientiously say that the bridge was completed; but when you come to the amount of subsidy to be paid it is the minister's recommendation that is given. Mr. Schreiber is a very careful man. Mr. Schreiber would not like to state anything that he did not know to be true, and Mr. Schreiber did not state that the bridge cost $217,000 in so far as appears by that Order in Council. All he did as an engineer was to certify to the completion of the bridge. The government had that report before them. They observed that Mr. Schreiber had said only that the bridge was complete. They said that Mr. Schreiber did not state that the bridge cost that sum or that anything like $217,000 had been expended upon it. Yet, they passed the Order in Council and, according to the Finance Minister, Mr. McDougall is bound to obey it, and if he objects, is trying to govern this country. According to the Finance Minister, if he goes behind Orders in Council, if he refuses to abide by Orders in Council and insists upon sending down people to check expenditure, he is trying to run the country. But I think we can stand a little of that kind of thing even if it does infringe upon the dignity of ministers. In that way over $16,000 was saved in this one instance, and although hon. gentlemen say the claim has never been wiped off the books, I do not think that the railway company would wait five years if they thought they were entitled to one dollar more than they got. I ask any hon. gentleman opposite, if he were personally under an obligation to pay 15 per cent upon the cost of a structure, would he pay that 15 per cent on $240,000 upon the mere examination of a company's books showing the structure to cost that amount? There is not an hon. member who would for a moment think of paying his money without having an examination and inspection of the work made so as to test the truth of the statement that the money had been actually expended upon it. The department had two capable engineers at its service and it could have sent one of them any day to examine the work as was done after the lapse of three months and after Mr. McDougall had raised a fuss about it. They sent Mr. Ridout, who told them that the bridge did not cost much over $100,000. Yet the man who, on behalf of the country, will obtrude himself where he is not wanted, will insist upon knowing what things do cost, is condemned as a busybody, as a man who does not know that he is a mere auditor, who ought to merely verify figures, who ought to see whether they are added up correctly and see whether the proper man has signed the form at the bottom. That is all the government wants from an auditor. Mr. Schreiber admitted when he was sworn before the Public Accounts Committee that by the action of Mr. McDougall we saved $16,000 so far, he said. I presume he thinks the government may yet pay it but we will take our risk of that. Mr. McDougall has saved that for five years and I do not think the government will attempt to pay more now. The Deputy Minister may think that some things of that kind were done before and may be done again. But he admitted on his oath that by the intervention of Mr. McDougall, that by going behind the Order in Council and ignoring the certificate of the department, the country has been saved more than fifty per cent of the money claimed. I would ask under these circumstances whether all these sneers at the Auditor General are quite deserved. I think it would be a great deal better to allow that he has done good work. He is an old and very capable servant, he is very highly respected in this Dominion, and I regret that he could not have been allowed to retire after his long years of service without being sneered at and held up to ridicule.

Mr. FIELDING. If I may be permitted I must again call the attention of my hon. friend (Mr. Barker) to the fact that in relation to these disputes about leave of absence the correspondence to which I referred between the Auditor General and the Treasury Board all took place after the events to which he refers. He was discussing what was done as between the departments and the Auditor General. I made no reference to that. If he departments were slow in dealing with the Auditor Gen-

eral that is a matter for inquiry, but it is not important for me to discuss that. More important, and this is the only reason why I desire to offer an explanation, is the fact that my hon. friend is entirely mistaken in regard to the position and the facts of the Sorel bridge case, and about the position of the Auditor General in relation to it. The error of the Auditor General, of my hon. friend and others is that they have tried to create the impression that there was a quarrel between the Auditor General and the government in regard to the Sorel bridge case. Nothing of the kind happened. There is no doubt that a mistake was made by Mr. Schreiber in his first certificate in regard to the Sorel bridge, but my hon. friend says that after an Order in Council is passed I expect the Auditor General to follow it. I expect nothing of the sort. I expect that after an Order in Council is passed for the payment of money the Auditor General will make a full inquiry into the expenditure to which it refers to ascertain if there be any ground for objection, but the impression that there was a quarrel between the Auditor General and the government in regard to the Sorel bridge is entirely false. The Auditor General came and stated the position to me and I stated that if the facts were as he reported them and as he believed them to to be I would uphold him. The matter never came to the Treasury Board; it never came to the government after the Auditor General raised it; it never passed beyond a question between the Department of Railways and the Auditor General. The first certificate issued entitled them to a certain amount of money and it was issued on the report of the chief engineer. My hon. friend says that the government must have known this and that and the other thing about the transaction. How could they have known anything of it except through the Chief Engineer and the Deputy Minister of Railways? He made his report in good faith. I think he allowed them too large a valuation, I think the Auditor General was right in the Sorel bridge case, and I never said anything to the contrary. But what I object to is the creating of the impression that there was any difficulty between the government and the Auditor General on the Sorel bridge case when there was no difficulty at all.

Mr. R. L. BORDEN. Why does the Minister of Finance object to the Auditor General referring to that case?

Mr. FIELDING. I do not object except that he is constantly referring to the Sorel bridge case in such a manner as to create the impression that he had a quarrel with the government about it when there was no such quarrel at all.

HALIFAX AND ESQUIMALT.

Mr. R. L. BORDEN. I wish to ask the Minister of Militia whether or not it is expected that the naval station at Esquimalt will be abandoned. I ask that in consequence of a communictaion I have received from British Columbia and in view of the ninth article of the terms upon which British Columbia was admitted into the union and which is as follows:

> The influence of the Dominion government will be used to secure the continued maintenance of the naval station at Esquimalt.

I desire to ask in the first place as to the probable continuance of that naval station, and in the second place, if there is any probability that it will be removed whether the Dominion government have used any and if so what efforts to secure its continued maintenance?

Hon. Sir FREDERICK BORDEN (Minister of Militia and Defence). So far as I understand it, there has been a change in the policy of the admiralty with reference to the naval bases at Halifax, Esquimalt and other places. But, as I understand, there is no intention whatever of abandoning either Halifax or Esquimalt. I have had positive assurance as to Halifax. We have not put the question as to Esquimalt, but I place them both in the same category. I have no doubt whatever in my own mind that it is not the intention of the imperial authorities to abandon either Esquimalt or Halifax. However, since the matter has been brought to my attention I will make inquiries with regard to it.

DEPARTMENT OF RAILWAYS AND CANALS—NEW DEPUTY MINISTER.

Mr. R. L. BORDEN. May I ask whether the statements in the press with regard to the deputy minister and the chief engineer of railways and canals are founded on fact. It is reported that Mr. Schreiber, who has long been a very much respected and faithful public servant, is to retire from his present position and to accept another position in connection with the building of the eastern section of the Transcontinental Railway. It is also reported that his successor has or is about to be appointed.

Mr. H. R. EMMERSON (Minister of Railways and Canals.) The reports in the press are substantially true, but it is not quite correct to say that Mr. Schreiber is to take a position in connection with the eastern section. It has been found that there are many questions likely to arrive between the Grand Trunk Pacific Company and the government with respect to the western section. The company in the furtherance of their construction work and the location of the line, &c., would have views to present to the department and it would be impossible for any one man holding the position of deputy minister and chief engineer with all the routine work incident to it to familiarize himself with all the details of the ques-

tions that may arise in regard to the western section. It is necessary to have an official on whose advice the Minister of Railways shall make recommendations to council, based on well considered information, and it is thought desirable that there should be an engineer in the department to advise the minister. The man qualified to occupy that position should be of wide experience and eminent in his profession. It must be borne in mind that the Transcontinental Commissioners who are charged with the responsibility of constructing the eastern section have little or nothing to do with the western section, which is to be constructed by the company itself. Under the law relating to the western section the government guarantees three-fourths of the cost and before bonds are issued there must be certificates and approval by the government, so that the minister can only recommend to council that which is authenticated by actual knowledge on the part of a reliable official. The minister could not act upon the representations of that or any other company without inquiry by a competent authority. Within the last few weeks I have been confronted by difficulties such as I have referred to. It is proposed to have Mr. Schreiber assume the position of consulting engineer; it has been offered to him and he has accepted it. Mr. Schrieber's present position will be filled by Mr. M. J. Butler, an engineer of repute, a man of energy and industry who comes to the department well recommended and who has demonstrated his ability by the work he has done as assistant engineer to the Transcontinental Railway Commission. The actual transfers have not yet been made, but they are proposed.

Mr. R. L. BORDEN. Will the duties of Mr. Schreiber in his new sphere relate solely to the western division of the Transcontinental Railway and the work connected with that, or will he also act as consulting engineer in connection with the eastern division?

Mr. EMMERSON. He will be consulting engineer to the Department of Railways and Canals.

Mr. R. L. BORDEN. Generally?

Mr. EMMERSON. Generally, and I will be entitled to call upon him for advice and consultation as respects the railway work of the Dominion at large.

TRANSPORTATION COMMISSION.

Mr. R. L. BORDEN. Before you leave the chair, I would like to mention one other matter to the Minister of Finance, or whatever minister has charge of the item. When we were discussing an item of $15,000 in the main estimates to provide for the expenses of the Transportation Commission during the coming fiscal year, I asked that certain information should be given to the committee with respect to the constitution of the commission and its past and future activities. The item stood over on more than one occasion for that purpose, but I observe that, no doubt, through some misapprehension, the Minister of Public Works had it passed without the information having been furnished. I trust the matter will not be forgotten. The Prime Minister also promised this information, and as these matters are of importance to the House, I hope it will be furnished before the close of the session.

Mr. FIELDING. I remember upon one occasion when we were getting through a number of items my hon. friend asked this to stand for this purpose. I quite agree that the Minister of Public Works should furnish the information he has, and I shall remind him of it.

Motion (Mr. Fielding) agreed to, and House went into Committee of Supply.

Steamship subsidies—addition for steamship service between Canada and Mexico, $50,000.

Mr. FIELDING. We have already provided by appropriation for the Atlantic service, in co-operation with the Mexican government or with the expectation that the Mexican government will co-operate, and negotiations have been conducted to that end. The object of this vote is to endeavour to get a service on the Pacific as well as on the Atlantic. While the arrangements are now being closed in the case of the Atlantic service, we have no such arrangement on the Pacific, but this vote is taken in the hope that we will get a service on the Pacific.

Mr. FOSTER. I do not wish to oppose any vote which can be profitably used for inducing traffic between Canada and other countries, but I do hope that before any money is expended on this a pretty thorough examination will be given as to the probable amount of trade between Canada and that side of South America. Fifty thousand dollars is a good deal of money, and we should not expend it unless there is some prospect of a lucrative trade which will grow into permanency, and I am afraid that the amount of trade which will be carried on outside of one or two commodities on that side of the south, will be very small. What does the minister think the trade will largely consist of?

Mr. FIELDING. We have no special report as to the character of trade. This is part of the general policy of trying to reach out for trade in all directions, and the British Columbia representatives have urged that we should encourage the possibilities of trade with Mexico on the Pacific as well as on the Atlantic side. I quite admit we may have more difficulty in securing a steamship line on the Pacific coast than on

the Atlantic, but we think the effort worth making. There is going to be a large development of Pacific trade, and we think we ought to be on the watch for it.

Mr. FOSTER. Before the item was passed by Council there must have been some basis of information on which the Council was asked to vote the money,

Mr. FIELDING. We have no special report in detail to indicate the extent of the business to be hoped for. This vote is given in an effort to increase the trade of Canada on both the Atlantic and the Pacific, and we have to take some risks. We have no definite arrangement and have no prospect, as I am informed, beyond the fact that we are asking the appropriation, hoping to find a steamship company willing to assist in the experiment.

Mr. R. L. BORDEN. Is the Mexican government assisting on the Pacific as well as on the Atlantic?

Mr. FIELDING. There is no engagement on their part, but it has been the subject of negotiation, and it is hoped they will be willing to do it on the Pacific as well as on the Atlantic.

Mr. R. L. BORDEN. Do you propose to go on with the service on the Pacific side in case the Mexican government do not join with you?

Mr. FIELDING. If our subsidy were large enough, we might make a contract, but I should fear perhaps that this amount would not be sufficient.

Inspection of staples—further amount required for salaries, $10,000.

Mr. FIELDING. The explanation furnished of this amount is as follows:

It is very difficult to gauge from year to year what the expenses may be in connection with the inspection of grain under the inspection of staples. Unforeseen expenses are often necessary for various contingencies that arise from time to time, and considerable latitude must be allowed in a traffic of such proportions as the grain trade.

When the main estimates were prepared it was thought that sufficient had been voted, but at present it would appear that an additional amount will be required.

Though it is somewhat early to make an estimate, it is believed that this year the largest crop ever produced in the Northwest will have to be handled through the inspection branch.

The figures for production and inspection of grain, storage capacity of elevators, &c., can be found on page 738 and following in the Trade and Commerce Report for 1904.

Mr. FOSTER. When discussing the main estimates, it was pointed out that this grain standard service, &c., is done under government supervision, but it is supported by fees, and we started out with the idea that we were not subsidizing the grain trade but that these conveniences and standards were being arranged and fees were set to cover the expense. It transpired in the discussion of the main estimates that the fees had not been carefully considered by the government and the revenue was not sufficient for the expense, and consequently there was a deficit of some $20,000 which this government had to pay last year. The promise was made then that the matter would be taken up and the fees so arranged that they would meet the expenditures. That is the point I wish to call to the attention of the Minister of Finance.

Mr. FIELDING. I remember that the Prime Minister had charge of the main estimates relating to this department, and attention was called to the fact that while originally this service was self-sustaining, it had recently shown a deficit, and I remember the Prime Minister stated that the minister in charge contemplated increasing the fees in order to cover, in whole or in part, the deficit. That is still in the mind of the department. No new regulation has been made, but the expression of the policy of the department by the Prime Minister is still in the mind of the minister in charge of the department, and it is expected that an arrangement to that end will be made.

Mr. LAKE—Whatever arrangements may be made to meet these expenses I trust that the department will see its way to render further assistance to the warehouse commissioner at Winnipeg. He has performed very important duties to the satisfaction of the grain growers, but he has too much to attend to and some provision should be made to give him at least two assistants.

Mr. FIELDING. He has two assistants now. Perhaps my hon. friend is not aware of it. There has been an increase of his staff lately, and we have every reason to believe he has now sufficient to handle the work.

To provide salary for additional judge at Three Rivers, Quebec, $4,000.

Mr. FITZPATRICK. Three sessions ago a statute was passed by the Quebec legislature for the appointment of an additional judge at Three Rivers. It is an important judicial district. With the exception of Montreal, Quebec and Sherbrooke, it is the most important in the province. New industries have been created on the St. Maurice river, at the Shawinigan Falls and Grand'Mère, which have considerably increased the judicial business.

Mr. R. L. BORDEN. I suppose the minister thinks an additional judge is necessary.

Mr. FITZPATRICK. I consider it somewhat of an anomaly that the province should have the determination of the number of judges and that our sole competence should consist in making the appointment.

Mr. FOSTER. Which is not obligatory.

Mr. FITZPATRICK. In this particular case I looked into the statistics and they show a considerable increase in the judicial business.

Mr. FOSTER. Would it not be possible to take some judges who have more leisure and appoint them to this district? There must be some judges who are not overworked, and we might give them more to do without adding to the burdens of the country.

Mr. FITZPATRICK. There are two or three districts in the province of Quebec which might be very well melted into one, but unfortunately we have no control over the organization of the judicial districts. That is entirely a matter under provincial control.

Mr. FOSTER. Some day or other the people will be apt to say something about this state of affairs, which prevails in most of our provinces, and under which the distribution of the work seems to be very unfairly made. Some of the judges have little or nothing to do while others are well worked. The impression will gradually gain ground that the proper method is to have fewer judges and a better distribution of the work.

Mr. CAMPBELL. Speaking for Ontario, I can say that the remarks of the hon. gentleman are quite correct. We have there junior judges and senior judges. It would be far better if we only had one judge and pay him a higher salary. In many counties there is not work for two months in the year for some of the judges, and we could very well dispense with one of them.

Living allowance for judge of Atlin, British Columbia, $1,200.

Mr. FITZPATRICK. This district is in the same position as the district in the Yukon. The judge there is absolutely shut out from all communication with the outside world, and it has been represented to me that if we give a living allowance to other judges we should give it here.

Mr. R. L. BORDEN. The conditions are practically the same?

Mr. FITZPATRICK. Yes.

To provide for salary of two additional judges of the Supreme Court of the Northwest Territories, $8,000.

Mr. FITZPATRICK. There are now six judges in the whole of the Territories. As the result of the division of the Territories into two provinces, there will be three in each province. When the Court of Appeal is in session, it will require three judges, and there will be none to go on circuit. I think that four are required in each province.

Mr. R. L. BORDEN. Is there provision by statute for their appointment?

Mr. FOSTER.

Mr. FITZPATRICK. No.

To provide a grant to the public school at Stoney Mountain in lieu of school fees paid by officers of the penitentiary for the year 1905, $250.

Mr. FITZPATRICK. The residences occupied by the officers are on the reserve and are not taxed. Their children attend the public school, and we thought that $250 would be a fair contribution to the school fund.

British Columbia penitentiary—to pay W. A. Duncan at the rate of $1,000 per annum for services as accountant and warden's clerk from April 3rd to July 11th, 1895, less already paid ($152.15), $121.82.

Mr. FITZPATRICK. Mr. Duncan was employed by acting Warden Foster, 3rd April, 1895, as accountant at New Westminster penitentiary, temporarily. By mistake, Mr. Foster asked for authority to employ a warden's clerk, and authority to that effect was given him. Mr. Duncan was paid at the rate payable to a warden's clerk—$500; he earned the salary payable to an accountant—$1,000. The vote is to provide for payment of the difference.

Edmonton jail—additional amount required, $10,000.

Mr. FITZPATRICK. This is for a new penitentiary we are starting. The present building has but 42 cells. It will be occupied this autumn. It is intended to proceed with the building of the extension by convict labour, but provision is required for bricks, cement, lumber and materials for barriers. During the past eighteen months 61 convicts have been sentenced from Alberta, Manitoba penitentiary, and it is anticipated the number will increase as population increases. The intention is to have this as the penitentiary for the new province.

Mr. DEPUTY SPEAKER. That disposes of all the estimates.

Mr. FITZPATRICK. I think that items 136 and 137 of the supplementary estimates for 1906 were not passed.

Mr. DEPUTY SPEAKER. Yes, both are passed.

Mr. R. L. BORDEN. Item 136 is:

To provide for costs of reference of Sababth Day legislation, $2,000.

We wanted to know whether that appeal was to the Supreme Court or to the Judicial Committee.

Mr. FITZPATRICK. To the Judicial Committee.

Mr. FOSTER. Item 137:

For compiling and publication of correspondence, reports and Orders in Council on the subject of Dominion and provincial legislation,

1901-1903, notwithstanding anything in the Civil Service Act, $2,000.

We did not understand that.

Mr. FITZPATRICK. That is for Hodgins' compilation of Dominion legislation°a very useful work.

Mr. R. L. BORDEN. Very.

Mr. FIELDING. This disposes of all the estimates

Mr. FOSTER. Has not a single item been reserved ?

Mr. FIELDING. No.

Mr. FOSTER. Cannot we agree to have one item left over ? We have another motion to bring forward ?

Mr. FIELDING. I think the Minister of Justice might be made the victim.

Mr. FOSTER. I will get it in.

Some resolutions reported.

SUPPLY—CONCURRENCE.

House proceeded to consider resolutions reported from Committee of Supply.

Geological Survey—explorations and surveys—printing and publishing reports, maps, &c., wages of assistant explorers, draughtsmen, clerks and others ; purchase of specimens, books, instruments, stationery, mapping materials, maintenance of museum, laboratory apparatus, chemicals, miscellaneous expenses, &c.; advances to explorers, $60,000.

Mr. FOSTER. I would like to draw the attention of the minister to some questions that I asked with reference to the employment of Mr. Nicolas in the Geographical Survey, and which have not yet been answered.

Sir WILFRID LAURIER. I can give the information that has been given to me. Mr. Nicolas was recommended by Dr. Bell to do the work of preparing the reports, and certain literary works which are issued every year by the Geological Department. He was employed by Dr. Bell in the month of December last, but employed without the authority of the minister. When Dr. Bell recommended him to me, as I was then acting Minister of the Interior after the resignation of the hon. member for Brandon (Mr. Sifton), I asked him why he had not obtained the authority of the minister before employing Mr. Nicolas, and the reason he gave was that the then minister was absent from Ottawa, and that it was desirable to employ Mr. Nicolas who was well adapted for the work which he wanted him to do. Upon the strong recommendation made to me by Dr. Bell of Mr. Nicolas, I agreed to recommend that an amount should be placed in the estimates to provide for his appointment. I do not know Mr. Nicolas, I never saw him in my life and all I know of him is what I have heard from Dr. Bell who recommended him to me.

Mr. FOSTER. Can the right hon. Prime Minister say how long he has been employed in the Geological Survey, and what experience he has had here or elsewhere ?

Sir WILFRID LAURIER. He has been employed since December. His experience up to that time had been acquired in England and in Australia where he was employed in similar work. I know nothing of Mr. Nicolas but I agreed to his appointment upon the recommendation of Dr. Bell himself whom I hold responsible for the recommendation.

Mr. FOSTER. I know nothing of Mr. Nicolas either. A salary of $1,500 is a pretty good salary.

Sir WILFRID LAURIER. Yes.

Mr. FOSTER. And there are people living in Canada whose services have been given to the government and to the country for a good many years. Probably there are some in the department itself who have earned, by years of consecutive labour, promotion and it would require a very strong recommendation for technical reasons to justify the appointment.

Sir WILFRID LAURIER. That is perfectly true. I do not dispute it, but upon a matter of this kind when Dr. Bell, who is at present in charge of the department, represented to me that Mr. Nicolas was absolutely qualified for the work and better qualified than anybody that he could recommend, and when in a matter of this kind the minister has to rely upon what the acting director of the Geological Survey recommends, I think we should accept his recommendation. That is all I have to say.

Militia and Defence—for purchase of ordnance, arms, rifle ranges, lands for military purposes, reserve stores of clothing, equipment, &c., and for fitting up rifle ranges, $1,225,000.

Mr. FOSTER. I think this is the last item in the militia estimates, is it not ? I would like one item held over because there is something that has to be said in reference to the Kentville Rifle Range that has not been said, and if the hon. Minister of Justice, who, I believe is to make a statement, will do it on Monday, we will allow this to go through now so as to keep it in its regular order. He may be able to make it now, but I would rather he would make it on Monday because some hon. members would like to be present when he does it.

Mr. FITZPATRICK. I have been ready for some time to make this statement, but I have kept it over because of the absence of the hon. member for Victoria and Haliburton (Mr. Hughes).

Mr. FOSTER. We will have it on Monday.

Mr. FITZPATRICK. I will be ready on Monday morning.

On motion of Sir Wilfrid Laurier, House adjourned at 6 p.m.

HOUSE OF COMMONS.

MONDAY, July 17, 1905.

The SPEAKER took the Chair at Eleven o'clock.

REPORT OF TELEPHONE COMMITTEE.

Mr. W. F. MACLEAN. Before the Orders of the Day are called, might I ask the Prime Minister, now that the report of the Telephone Committee has been presented, whether it is the intention of the government to deal with the questions involved in that report, or referred to by that committee, this session.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister). It is not the intention of the government to deal with that report this session.

FISHERY INSPECTION IN NOVA SCOTIA.

Mr. R. L. BORDEN. I desire to bring to the attention of the government a matter which has been mentioned to me in a communication from a gentleman in the western part of Nova Scotia. He says that the inspector of fisheries for the counties of Lunenburg, Queen's, Shelburne, Yarmouth and Annapolis, died some time ago, and that no successor has been appointed. He points out that as a result of the vacancy the fishery laws and regulations have been largely ignored, that there are many serious violations which cannot be proceeded with, because there is no officer before whom complaints can be brought. He urges strongly that some successor should be appointed immediately.

Sir WILFRID LAURIER. What is the name of the officer ?

Mr. R. L. BORDEN. The name of the officer who died is Mr. Leander S. Ford, fishery inspector for the counties mentioned.

THE TRANSPORTATION COMMISSION.

Mr. R. L. BORDEN. I have mentioned two or three times during the session the proceedings of the Transportation Commission, and the Minister of Public Works has informed me privately that he will send me whatever reports the commissioners have made up to the present time, as well as a statement of what their work amounts to and the probable date of their final report, which I gather from the hon. gentleman will not be much longer delayed.

Mr. FOSTER.

Hon. C. S. HYMAN (Minister of Public Works). That is the case. I will be glad to send the reports to the hon. the leader of the opposition. I hope the commission will be through with their work this fall. They have only made two or three interim reports, and have been collecting data to be used in their main report.

INQUIRY FOR RETURNS.

Hon. GEO. E. FOSTER. An order was passed about the middle of the session for a return, mainly from the department of the Minister of Public Works, and from some other departments, as to public works. I do not know whether that is ready yet or not. If it is not, I am going to trust my hon. friend to see that it is complied with as soon as possible, so that we may get it during recess.

Mr. HYMAN. I will be glad to see that the hon. gentleman has the return. It involves a great deal of labour, and some information is difficult to obtain. I have two clerks who have been at work on it for some time.

Mr. FOSTER. I would like to impress on the minister that it is rather an elaborate return, and its usefulness will only be in proportion to its accuracy and fulness.

Mr. HYMAN. The difficulty about the accuracy is that one of the returns asked for is concerning vessels calling at each wharf. The hon. member must be aware that it is impossible to get that information, because there are many wharfs which have not yet been transferred, and for which we have no return.

Mr. FOSTER. Where a wharfinger is appointed you can get a return ?

Mr. HYMAN. Yes.

Mr. FOSTER. Then I think the Minister of the Interior is my debtor yet for some papers in reference to the scrip matter. How does that stand ?

Hon. FRANK OLIVER (Minister of the Interior). I have the papers ready, and expect to be able to lay them on the table today.

THE INSPECTOR OF INSURANCE AND THE DIRECTOR GENERAL OF PUBLIC HEALTH.

Hon. CHARLES FITZPATRICK (Minister of Justice) moved for leave to introduce Bill (No. 200) respecting the Inspector of Insurance and the Director General of Public Health. He said : The object of the Bill is to give these two gentlemen the rank of deputy heads of departments. It does not affect their salaries at all.

Motion agreed to, and Bill read the first time.

Mr. FITZPATRICK moved the second reading of the Bill.

Mr. W. F. MACLEAN. I would ask the government whether they intend to consider the conditions of life insurance in this country, and whether they would be prepared to make some change in the law by next session? Revelations are occurring to-day with reference to life insurance in the United States that are startling the world, and making policy-owners the world over to pause when they see that the immense sums now held in trust by insurance companies for policy-holders are in the control of men who have really no interest in them, or rather have a great interest in manipulating these funds, and that the policy-holders who really own these funds have very little to say about them. I do not intend to take up the time of the House; but I think it is incumbent upon the government to consider this question before next session and to introduce proper legislation in the direction of the better protection of the policy-holder, and of giving the policy-holder practical control of these immense trust funds. An officer who comes out in a very bad light at the present time in the great state of New York, where the scandals exist to-day, is the superintendent of insurance. It has been found that the superintendent of insurance in the state of New York is more the officer of the great insurance companies than of the public; and it has been with the greatest difficulty that the superintendent has been forced to act and to give up the information that was brought out only the other day; in fact, the public were not given the result of his inquiry, but in some mysterious way the evidence taken has been printed in New York, although it did not come from the superintendent of insurance. So this question is well worth the study and consideration of the government in the interval between now and next session, and I trust that the hon. Minister of Finance, after giving it that study, will be prepared next session to introduce some legislation on the line of giving greater control to policy-holders of the immense trust funds that are being piled up in connection with life insurance.

Mr. FIELDING. Mr. Speaker, I had contemplated, if time had permitted, introducing some amendments to the Insurance Act during the present session, not necessarily in the direction to which my hon. friend (Mr. W. F. Maclean) has referred, but owing to the time of the House being so largely occupied with more important matters, I have not proposed any change. However, I will say that the whole question is receiving our careful consideration in the light of events that are transpiring on the other side, and that if during the recess the developments of facts connected with these large companies in the United States go to show that there is need of any greater restrictions we shall endeavour to provide for them. I am sure that my hon. friend's remarks about the superintendent of insurance across the border are not intended in any way to reflect upon our own officer.

Mr. W. F. MACLEAN. No.

Mr. FIELDING. I think there is no more useful, impartial, zealous or independent officer in the public service than Mr. Fitzgerald, the superintendent of insurance.

Mr. R. L. BORDEN. I think this is a matter that should engage the attention of the government during the recess. It may turn out that we have every possible provision for the purposes of the necessary superintendence and control, or it may turn out, upon careful investigation and study in the light of the developments on the other side of the line, that some further change is necessary. I quite realize that there has not been the opportunity at the present session to deal with it, but I trust that my hon. friend the Minister of Finance (Mr. Fielding) will take the matter up before the beginning of another session and that we shall have an opportunity of discussing what further amendments should be made to the Insurance Act if any are required.

Motion agreed to, and Bill read the second time, considered in committee, reported, read the third time and passed.

BANK OF YARMOUTH, NOVA SCOTIA.

Hon. GEORGE E. FOSTER (North Toronto). Mr. Speaker, I would like to call the attention of the hon. Minister of Finance (Mr. Fielding) to the results so far of the prosecution and investigation in reference to the Yarmouth Bank. The case is well known to members of the House, I have no doubt, a case in which one of our banks allowed a commercial concern to really get the bank, and knowing that the bank had been gotten by these parties, they still preserved their face before the public and the shareholders as though the bank were entirely solvent. They also took a peculiar way of arranging their accounts so that overdrawn accounts were treated as current loans and such accounts as these were properly authenticated and sent into the department. Now, it appears that after the investigation and after the irregularity, to call it by no stronger name, was thoroughly exposed and thoroughly patent the judgment that has been given upon the person who was especially tried and whose guilt was proven is simply a travesty upon punishment. It is really no punishment at all. The effect of that is not good and if bank officials who act as trustees for people who put their money into banks, who have the whole management in a semi-private way of the funds of a large portion of the people and who get the confidence of these people by making what are really false returns, are to be subjected to no adequate punish-

ment the effect is bad upon the whole public and it is especially bad, particularizing upon bank officials everywhere. It is a pretty good notice that they will not be held very strongly accountable for such proceedings as this. I have no doubt the matter has been brought to the attention of the Minister of Finance. I do not wish to take up time or to spread the facts upon the 'Hansard' as it is not a thing which, all things being equal, I would like to see spread upon the public records, but I would like to know if anything has been done in reference to it—it is partly a matter of regulation by the Finance Department, I think—or whether legislation is necessary, and if so, whether the government purpose to do what is necessary in order to stop a condition of things of that kind.

Hon. W. S. FIELDING (Minister of Finance). Assuming that the criticism of my hon. friend (Mr. Foster) is justified upon the facts I am not quite clear that there is any remedy which we can apply, because his criticism would lead in the drection of the complaint—if I may use that word in the proper sense—that the judicial authorities have not dealt with adequate severity with this offence. All that the government or any department could do would be to set in motion the wheels of justice. My hon. friend is aware that our excellent Banking Act—excellent when my hon. friend had charge of it and when he left it—has been somewhat amended and that one of the improvements since has been the introduction of the Bankers' Association as a very useful instrument in dealing with banks and in helping to guard against some things which might be possible if there were no supervision. Under our amended legislation the Bankers' Association is entrusted with very considerable powers, and one of its powers is to appoint a curator the moment the bank gets into difficulties and suspends. That moment the officers are turned out and an officer appointed by the Bankers' Association takes charge. A gentleman named by the Bankers' Association took charge of the Bank of Yarmouth the moment the bank suspended. He made an inquiry into the conduct of the various officials, who, it was alleged, had been guilty of wrong-doing, and he made on behalf of the Bankers' Association a recommendation as to the officials whom he thought had been guilty in the degree that was alleged and against whom it was thought a case could be made out. Upon the report of the Bankers' Association proceedings were taken against the officer to whom my hon. friend (Mr. Foster) has referred. Having taken these proceedings they selected a legal gentleman to conduct them and one, who, I am sure, did his work well. Having placed the matter before the court, I do not see what more we could do. It so happened that the judge who was charged with the duty of trying that case was Mr. Justice Meagher who has a reputation in our province of being if anything more severe in his treatment of criminals than some of his colleagues. He is a most high-minded and honourable judge, but if there be any difference between him and his colleagues on the bench it is the impression that a criminal who falls into the hands of Mr. Justice Meagher has not the best chance of getting out. In this case, for reasons which I have no doubt were good, having regard, perhaps, to the earlier history of the matter—I think this officer was arrested and was perhaps imprisoned some time before being brought to trial, although I cannot say as to that—the judge who tried this official, in the exercise of his authority administered a sentence which perhaps outside, is regarded as not very severe. Then I think there was a reserved case for the courts, so that it is a question whether even that moderate sentence would be carried out. Well, in view of these facts, I have difficulty in seeing what the government or the Department of Finance could do other than move the courts and put in force the provision of the law. I think there is no difficulty in regard to the machinery. Everything that was possible was done by the Department of Finance. The legal machinery was set in motion, the decision of the court was given and if it be an unsatisfactory decision, I suppose that might be said of many decisions in our courts and we are bound to believe that the justice who deals with the case has done so with the best motives and with the largest knowledge of the facts. If there be anything in the circumstances which would suggest that there is need of an amendment to the Banking Act, I would be very glad to have my attention drawn to it, but at the present moment I am aware of no defect in the Banking Act in connection with this case.

Mr. FOSTER. I think it is a little more serious than it would seem just from the conversation we have had so far. Of course the manager of the bank is appointed by the directors. He is the tool of the directors—I am not using that term in any derogatory sense. I mean that he is part of the machinery of the bank that is constituted by the directors—the instrument of the directors would be the better term to use. It would not seem to me that legislative powers go far enough unless they are able to touch the management itself, that is the directors. I find that Mr. Johns, who was the manager, in his evidence said in answer to a question :

> Yes, Sir, I let the Reddings have $480,000 without security, and the directors knew it, but we thought we made it all right by transferring the overdraft account to the current loan account in our monthly statement sent to the Minister of Finance.

That is a point to be borne in mind. Certain of the directors are examined and under oath they say they knew in 1904 that the Reddings had the bank, but they did not inform the shareholders and others whose money they had allowed to be wasted, although they were the paid servants of those shareholders. I read this from a statement that is put in my hands. Then, after the evidence had been taken the judge made his charge and it went to the jury, and the statement is made that from Mr. Stavert's evidence the judge found that it was no uncommon thing for banks to make that sort of statement; that is, referring to the report of overdue account treated as loans. The jury found against the prisoner. When it came to sentencing the prisoner, there is the significant point, according to this information, that Mr. Armstrong, the prosecutor in the absence of Mr. Pelton, K.C., said :

My Lord, the prosecution do not ask for a severe sentence ; they think the ends of justice will be served if a light sentence is imposed.

Then the sentence came of two months in the county jail, and permission was given the prisoner to go out on bail, I suppose pending further inquiry or awaiting result of an appeal. Those two points showed the inadequacy of the Act—or if it is not the fault of the Act—the inadequacy of the proceedings to have the real and responsible people, namely the directors, held responsible for such wholesale ruin as resulted. If it be true that the prosecution on behalf of the Crown asked under these circumstances for a light punishment, and the judge presiding gave two months with permission to the prisoner to go out on bail, it is not, it seems to me, adequate to the offence. It would scarcely be thought so by the widows and other investors who confided in the directors and who confided especially in the sworn statement which led them to suppose that everything was all right when in reality everything was all wrong.

Mr. FIELDING. Perhaps it may be well to remark, although it does not affect much the merits of the question, that in this case there is no outside interest affected by the failure of the bank. That is to say, so far as we know, the depositors are protected and the note holders are protected. The note circulation has, I have been advised, been found to be absolutely correct. In that respect I am particularly pleased because it is one of the features to which we have given attention in recent amendments of the Bank Act. The note holders are absolutely secured; it is understood that the depositors will be secured and the only persons who will be affected will be the shareholders. Therefore, so far as any financial interest is concerned—I am not saying that should affect the principle of justice—so far as any financial interest is concerned it is a question between the shareholders and the directors whom they selected. So far as public loss goes that point is worthy of note, because the shareholders and the directors have a closer relation than the directors and the general public; the general public are not responsible for the selection of the directors, but the shareholders are. However, if there has been a wrong done to the shareholders, far be it from me to say it should not be dealt with. As to who should be prosecuted, that was a matter upon which we took the advice of the curator appointed by the Bankers' Association, who had the knowledge which we ourselves did not have in detail as to the state of the accounts. He examined into the accounts and he reported as to what officials he thought should be held criminally liable. The judge and the jury would make a distinction and there would be grades of responsibility in a case like this, and it certainly would not be wise to enter upon indiscriminate prosecutions without first finding out what the evidence was to sustain them. The curator, acting under legal advice I presume—for the Bankers' Association does everything under legal advice—reported that this officer was the one who ought to be prosecuted, and the prosecution was accordingly instituted by the Finance Department.

Mr. R. L. BORDEN. There was another one prosecuted.

Mr. FIELDING. Yes, later on ; not at the instance of the Finance Department, but at the instance of the curator himself. My memory is that he did not apply to the Finance Minister in that matter, but in consequence of later revelations he came to the conclusion that another officer should also be prosecuted. All we could do was to start the wheels of justice on these lines and that was done. After the preliminary examination, after the prisoner has been committed for trial, the responsibility of the Department of Justice ceases. The case is then committed to the ordinary machinery of justice in the province under the direction of the Attorney General, and when it stated that the prosecution did not wish for any severe sentence to be imposed it must not be implied that that statement arose from any communication with the Department of Finance at Ottawa, or, as I am advised with the Minister of Justice who was not communicated with in that respect. The administration of criminal justice is in the hands of provincial authorities, and by way of illustration I might say that in this case we would occupy the position of private prosecutor. We were interested in seeing that the wheels of justice were started, but once they were set in motion we had to leave them to be moved on in accordance with the requirements of the law which places the administration of criminal justice in the hands of the Attorney General of the province, who is to be the judge of what discretion, if any, shall be exercised. Therefore, after the preliminary

investigation and after this officer had been committed for trial, the proceedings were under the control of the law officers of the Crown in Nova Scotia. My hon. friend (Mr. Foster) has read from the evidence; the judge forwarded it to me a few days ago, but I confess I have not had time to read it. From the statement my hon. friend has read it would appear that the prosecuting counsel, acting under the advice of the Attorney General of the province, wished that the sentence should not be a severe one. That is a matter within the discretion of the Department of Justice in the province. If the Attorney General made the request I presume he made it for fair reasons which must have commended themselves to Mr. Justice Meagher.

Mr. FOSTER. The government here has really the revision, so far as the examination is concerned, of each of these officials who report to the government which has the Banking Act in its power, and unless the government exercises all its powers, such as they are, under existing legislation, in order to protect the confiding public, and unless, if it feels that these powers are not strong enough it does not rest until it obtains powers that are sufficiently strong it will certainly not fulfil the public expectation in this matter. We are all fallible and we all commit faults, but in positions of public trust, where the people's trust is abused as it has been in this case we cannot leave the way open for even ordinary human sympathies to have too much scope. The public requires that everything should be done that can be done by the department which has it in charge. As to the prosecution of the matter under the local authorities, we have nothing to do with that. Of course that is under the province, as my hon. friend says, and public opinion there must deal with it. What I wish to emphasize is that the Department of Finance and the government itself must not incline to the side of over-leniency in matters like this. They must exercise all their powers to the utmost and if these powers are not sufficient to protect the public they should obtain greater powers. It is a rather serious matter that has been brought out, that the banks are in the habit of returning overdraft accounts as current loans.

PRIVATE BILL.

INTERNATIONAL BRIDGE AND TERMINAL COMPANY.

Consideration of amendments, made by the Senate to Bill (No. 87) to incorporate the International Bridge and Terminal Company.—Mr. Grant.

Mr. FOSTER. What are these amendments ?

Mr. BRODEUR. I see that the most important amendment was to strike out a clause which permitted the company to give stock in payment of services. This is the only important amendment.

Mr. FOSTER. Where is this bridge, at Rainy River?

Sir WILFRID LAURIER. Yes.

Mr. GRANT. This Bill stood in the name of the late Dr. Johnston, member for Lambton, but I have been asked to undertake it here. It was passed by the House of Commons and sent to the Senate where some slight amendments were made which the Minister of Inland Revenue has explained.

Amendments concurred in.

QUESTIONS.

BOUT DE I'SLE, REPENTIGNY AND CHARLEMAGNE FERRY.

Mr. AMES—by Mr. Taylor—asked :

1. Is there a steam ferry plying between Bout de I'sle, Repentigny and Charlemagne, on the St. Lawrence river, Quebec ?
2. Has the said ferry boat been inspected on behalf of the government within the past twelve months ?
3. How many life-boats, life-preservers, and other life-saving apparatus does this boat carry ?
4. Are the captain and engineer duly certificated ?

Hon. L. P. BRODEUR (Minister of Inland Revenue):

1. Provincial ferry licenses are not under our jurisdiction.

Nos. 2, 3 and 4. Answered by No. 1.

LAKE RAMSAY AND NEW ROSS POST OFFICE.

Mr. LANCASTER asked :

1. Were tenders called for conveying the mails between Lake Ramsay and New Ross, in the county of Lunenburg, Nova Scotia ?
2. Who were the tenderers, and what was the amount of each tender ?
3. Was the lowest tender accepted ? If not, why not ?
4. Who held the previous contract, and what was the amount of his contract ?

Hon. SYDNEY FISHER (Minister of Agriculture).

1. Yes, tenders were asked for.
2. Alex. Keddy, $50 ; Newton Turner, $42 ; Nathan Keddy, $43.25 ; Samuel Hiltz, $44.44.
3. As the last two tenders were so close, the department exercised its discretion and gave the contract to Nathan Keddy.
4. Samuel Hiltz, at $43.40.

COLLECTOR OF CUSTOMS AT HARVEY, NEW BRUNSWICK.

Mr. CROCKET—by Mr. Taylor—asked :

1. Has a collector of customs been appointed for the port of Harvey, New Brunswick, to fill the vacancy caused by the death of Henry Turner ?

2. How long has the said position been vacant ?

3. If no appointment has been made, has any one been recommended for the position ? If so, who ?

Hon. WILLIAM PATERSON (Minister of Customs) :

1. No person has been appointed as a permanent officer to fill the vacancy caused by the death of J. B. Turner, sub-collector of customs at Harvey, New Brunswick.

2. Mr. Turner's death is reported as occurring January 27, 1904. Walter Morris has been acting as sub-collector at Harvey in the meantime.

3. It is intended to appoint Walter Morris permanently to the position.

GLACE BAY, NOVA SCOTIA, PUBLIC BUILDBUILDING.

Mr. BLAIN asked :

1. Has the government acquired any property at Glace Bay, Nova Scotia, as a site for a public building ?

2. If so, what site has been acquired, and what price has been paid therefor ?

3. From whom was the site acquired ?

4. What is the area of the property, and in what part of the town is it situated ?

Hon. CHARLES HYMAN (Minister of Public Works) :

1. Purchase authorized by Order in Council, matter in hands of Department of Justice to complete transaction.

2. The Nolan property, $6,600.

3. From Mr. Matthew Nolan.

4. Site has 60 feet frontage by 100 feet depth; situated on Main street.

MOTIONS AGREED TO WITHOUT DISCUSSION.

For a return showing the quantities of anthracite coal imported into Canada in 1904, from Great Britain or elsewhere, called Scotch anthracite coal; the various ports to which the same were brought; whether any steps were taken to ascertain whether the coal so imported was really anthracite, from a commercial or dutiable standpoint; and if any evidence was furnished at the time or times of such importation as to the amount of carbon contained in such coal.—Mr. Macdonald.

For copies of all correspondence, documents, orders, and all papers whatsoever, relating to the proposed deviation of the line of the James Bay railway to the west of Lake Simcoe. Also for copies of the original route map and location of line, as filed in the Railway Department; and correspondence and papers concerning the same.—Mr. Grant.

For copies of all correspondence between the New Brunswick Government, or any member thereof, with the Government at Ottawa, against the passage of Bill No. 101, to incorporate the Winding Ledges Power and Boom Company, Limited.—Mr. Costigan.

For copies of all correspondence, documents, orders, and all papers whatsoever, relating to the dismissal of James Power, late Postmaster at Wheatley River, Prince Edward Island, and for the appointment of a successor. Also all correspondence and petitions relating to the reappointment of the said James Power.—Mr. McLean, (Queen's)—by Mr. A. Martin.

For copies of all correspondence, documents, and memorials between the government or any member thereof, and the Rev. James Taylor, or any other person, on behalf of the retired servants of the Hudson Bay Company, in reference to their claim to a portion of the estate of the late Lord Selkirk.—Mr. Lamont.

For copies of all correspondence, documents, and memorials from the Government of Prince Edward Island, its legislature or public assemblies, since confederation, concerning the matter of communication between the island and the mainland, as provided in the terms of union; including the joint address of both houses of the Prince Edward Island legislature in 1881; minute of council in 1883; joint address in 1884; minute of council in 1885; joint address in 1885 to Her Majesty Queen Victoria; report of Island government delegation to Downing street, and the colonial secretary's minute to the Dominion government in 1886; memo. and resolutions of people's delegation, and joint address of Island legislature in the month of April past.—Mr. A. Martin.

For copies of all correspondence, petitions, memorials, reports of inspectors, and all papers whatsoever, relating to the closing of Lake Manitoba from summer fishing.—Mr. Crawford.

For a copy of any and all reports that have been made to the government, or to any member of the government, up to this date by the transportation commission, or any member thereof, with regard to the port and harbour of St. John, N.B.—Mr. Daniel—by Mr. Stockton.

For copies of all correspondence passed between the federal government and that of the province of Quebec regarding the Canadian exhibition at Liège, in Belgium.—Mr. Lavergne, (Montmagny)—by Mr. Devlin.

For a return showing all timber lands sold or leased by the Department of Interior since July 1, 1896; the description and area of each lot; the applications made therefor; the notice or advertisement for sale or tender; the tenders received; the amount of each tender; the tenders accepted; the name and address of the person or company to whom each lot was sold or leased.—Mr. Foster.

For copies of all correspondence, documents, resolutions, and other papers relating to any efforts or proposals to authorize the investment of trust funds in the United Kingdom in the securities of any province of Canada, and the fulfilment of any necessary conditions to that end.—Mr. R. L. Borden.

Mr. FOSTER. On Saturday or Friday last I mentioned to my hon. friend the Minister of Railways, two questions, and sent him afterwards the item with reference to which I would like information. Is he able to answer those questions ?

Mr. EMMERSON. On Friday my hon. friend said he would send a memorandum across the House but did not do so. On Saturday, however, after I spoke to him, he did. But the officials had then left the department, and Mr. Schreiber notified the commission this morning. I will perhaps have the information this afternoon.

Mr. FOSTER. What I want to make sure of is this: There is a question and there is also a request for correspondence. If there is any point about the correspondence being brought down, I would like to move for it, so that the motion might pass with these orders. I do not suppose, however, there is any necessity.

Mr. EMMERSON. No necessity.

CRIMINAL CODE, 1892—AMENDMENT.

On the order:

Third reading of Bill (No. 66) to amend the Criminal Code, 1892, with respect to appeals from certain summary conviction.—Mr. Porter.

Sir WILFRID LAURIER. This Bill is not contentious except in one respect, and that is with regard to the clause introduced on the motion of my hon. friend from Three Rivers (Mr. Bureau), concerning betting. The hon. gentleman does not persist in that clause and is quite willing to have it struck out.

Mr. FOSTER moved that the order be discharged and the Bill referred back to the Committee of the Whole for the purpose of excising clause 7.

Motion agreed to, House went into committee on the Bill.

Clause 7 struck out.

Bill reported, read the third time, and passed.

FALSE REPRESENTATIONS TO INDUCE IMMIGRATION.

Bill (No. 120) respecting false representations to induce immigration—Mr. Logan—was read the second time and House went into committee thereon.

On section 1,

1. Every person who does, in Canada, anything for the purpose of causing or procuring the publication or circulation, by advertisement or otherwise, in a country outside of Canada, of false representations as to the opportunities for employment in Canada, or as to the state of the labour market in Canada, intended or adapted to encourage or induce the immigration into Canada of persons resident in that country, or who does anything in Canada for the purpose of causing or procuring the communication to any resident of such country of any such false representations, shall, if any such false representations are thereafter so published, circulated or communicated, be guilty of an offence, and liable, on summary conviction before two justices of the peace, to a penalty of not more than one thousand dollars and not less than fifty dollars for each offence.

Mr. LOGAN. I desire to state that the Canadian Manufacturers' Association through their secretary, have communicated with me, stating that they have no objection to this Bill, provided I am willing to insert the word 'deter' or 'prevent,' so that the section will read 'intended or adapted to induce or deter immigration,' or 'intended or adapted to induce or prevent immigration.' I do not think it is necessary, at this stage of the session to make extended remarks on this Bill. The facts are as we know from the case of Mr. Graeme Hunter and from the reports of Judge Winchester, that such legislation is necessary. And I know from personal experience the necessity for this legislation, because men have been brought to my own town to whom representations had been made not only that they would find work, but that they would find houses already furnished awaiting them when they arrived. This sort of thing should be prevented; and it seems to me that this is the only way to get at the evil and ensure its discontinuance.

Mr. R. L. BORDEN. I understand that the hon. gentleman (Mr. Logan) moves the addition of the words he has mentioned, so that the section will read 'intended or be better to put in the words 'deter or prevent immigration?'

Mr. LOGAN. I thought that one word 'deter' would be sufficient.

Sir WILFRID LAURIER. That would be sufficient.

Mr. R. L. BORDEN. I think it would be better to put in the words 'deter' or prevent.'

Mr. LOGAN. I have no objection. I move that the section be amended by adding, after the word 'adapted to' the words 'deter or prevent.' I may say that the Trades and Labour Council which ask for this legislation have accepted this amendment as suggested by the Canadian Manufacturers' Association.

Amendment agreed to.

Bill as amended, reported, and read the third time.

Mr. LOGAN. I move that the Bill do now pass and that the title be changed to 'An Act respecting false representations to induce or deter immigration.'

Motion agreed to.

SALARY OF THE FIRST MINISTER.

Hon. W. S. FIELDING (Minister of Finance) moved that the House do at this day's sitting, resolve itself into Committee of the Whole to consider the following proposed resolution:

Resolved, That it is expedient to provide that the salary of the First Minister shall be twelve thousand dollars per annum.

He said: The purpose of this resolution having been communicated to His Excellency the Governor General, His Excellency gives his assent to the resolution.

Motion agreed to.

THE SENATE AND HOUSE OF COMMONS.

Hon. CHARLES FITZPATRICK (Minister of Justice) moved that the House do, at this day's sitting, resolve itself into Committee of the Whole to consider the following proposed resolution:

Resolved, That it is expedient to amend the Act respecting the Senate and House of Commons, and to provide as follows :

That in each session of parliament, beginning with the present session, there shall be allowed to each member of the Senate and the House of Commons attending at such session, twenty dollars for each day's attendance ; and if the session extends beyond thirty days, then there shall be payable to each member of the Senate and House of Commons attending at such session, a sessional allowance of two thousand five hundred dollars, and no more.

That to the member occupying the recognized position of leader of the opposition in the House of Commons, there shall be paid an additional sessional allowance, not exceeding seven thousand dollars.

That a deduction at the rate of fifteen dollars per day shall be made from such sessional allowance for every day on which the member does not attend a sitting of the House of which he is a member.

That a member shall not be entitled to the said sessional allowance for less than thirty-one days' attendance ; but his allowance for any less number of days shall be twenty dollars for each day's attendance.

That the said allowance may be paid on the last day of each month to the extent of fifteen dollars for each day's attendance, but the remainder shall be retained by the clerk or accountant of the proper House until the close of the session, when the final payments shall be made.

That if any person is from any cause a member of either House for a part only of any session, then, provided he is a member for upwards of thirty days during such session, he shall be entitled to the sessional allowance hereinbefore mentioned, subject to the deduction aforesaid for non-attendance as a member, and also to a deduction of fifteen dollars for each day of such session before he was elected or appointed, or after he ceased to be a member, as the case may be. But if he is a member for only thirty days or less, he shall be entitled only to twenty dollars for each day's attendance at such session, whatever is the length thereof ; provided always that a member of either House for a part only of a session who becomes during the session a member of the other House, shall not be entitled to more than two thousand five hundred dollars for the session.

That there shall also be allowed to each member of the Senate and of the House of Commons, his actual moving or transportation expenses between his place of residence and Ottawa, going and coming once each way ; but no such allowance shall be made for travelling outside of Canada except from one point in Canada to another by any direct route.

That at the end of each month, and at the end of the session, each member shall furnish the clerk of the House of which he is a member with a statement signed by him of the number of days' attendance during the month of session, as the case may be, for which he is entitled to the said allowance ; that every member applying for a travelling allowance shall furnish the clerk of the House of which he is a member with a statement signed by him of his actual moving or transportation expenses, as hereinbefore provided ; and that upon the said statements being certified by the clerk and sworn to by the member before the accountant, or assistant accountant, of the House, or any person authorized to take affidavits, the accountant shall pay to the member the allowance to which he is entitled according to the said statements.

He said: The purpose of this resolution having been communicated to His Excelency the Governor General, His Excellency gives his assent to the resolution.

Motion agreed to.

ANNUITY TO EX-CABINET MINISTERS.

Hon. W. S. FIELDING (Minister of Finance) moved that the House do, at this day's sitting, resolve itself into Committee of the Whole to consider the following proposed resolutions:

1. That it is expedient to provide that every member of the Privy Council of Canada who has served as a Cabinet Minister and head of a department for the full period of five consecutive years, shall upon his retirement from the Cabinet, be entitled to receive, out of the Consolidated Revenue Fund of Canada, an annuity equal to one-half of the salary attached to his office or position at the time of his retirement.

2. If any person receiving an annuity hereunder becomes entitled to any salary in respect of any public office under the government of Canada, or to the additional sessional allowance provided for the leader of the opposition in the House of Commons, such salary or allowance shall be reduced by the amount of such annuity.

He said: The purpose of these resolutions having been communicated to His Excellency the Governor General, His Excellency gives his assent to the resolution.

Motion agreed to.

JUDGES OF PROVINCIAL COURTS—SALARIES.

Hon. CHARLES FITZPATRICK (Minister of Justice) moved that the House do, at this day's sitting, resolve itself into Committee of the Whole to consider the following proposed resolutions :

Resolved, that it is expedient to amend the Act respecting the judges of provincial courts, and to provide as follows :

That the salaries of the judges of the Supreme Court of Judicature of Ontario, shall be as follows :

	Per annum.
The Chief Justice of Ontario	$8,000
Four Justices of Appeal..	7,000
The Chief Justice of King's Bench..	8,000
Two judges of the High Court of Justice, King's Bench Division, each	$7,000
The Chancellor of Ontario..	8,000

	Per annum.
Two judges of the High Court of Justice, Chancery Division, each	$7,000
The Chief Justice of the Common Pleas	8,000
Two judges of the High Court of Justice, Common Pleas Division, each	7,000
The Chief Justice of the Exchequer Division	8,000
Two judges of the High Court of Justice, Exchequer Division, each	7,000

That if the Chief Justice of the King's Bench, the chancellor of Ontario, the chief justice of the Common Pleas or the chief of the Exchequer Division is appointed to the Court of Appeal, the Governor in Council may direct that he be paid a salary not less than that previously enjoyed by him as chief justice or chancellor.

That the salaries of the judges of the Court of King's Bench and of the Superior Court, in the province of Quebec, shall be as follows:—

	Per annum.
That if the chief justice of the Kings' Bench,	
The Chief Justice of King's Bench	$8,000
Five puisné judges of the said court, each	7,000
The Chief Justice of the Superior Court	8,000
Seventeen puisné judges of the said court, whose residences are fixed at Montreal or Quebec (including the judge to whom the district of Terrebonne is assigned	7,000
Sixteen puisné judges of the said court whose residences are fixed within districts other than Bonaventure and Gaspé or Saguenay	5,000

Two puisné judges of the said court whose residences are fixed within the districts of Bonaventure and Gaspé or Saguenay, $5,000 each.

If the chief justice of the Superior Court resides at Quebec, the judge residing at Montreal who is appointed by the Governor in Council to perform the duties of chief justice in the district of Montreal as it is comprised and defined for the Court of Review—or, if the chief justice resides at Montreal, the judge residing at Quebec who is appointed by the Governor in Council to perform the duties of chief justice in the district of Quebec as it is comprised and defined for the Court of Review—in addition to his other salary, $1,000.

That the salaries of the judges of the Supreme Court of the province of Nova Scotia shall be as follows :

	Per annum.
The chief justice of the said court	$7,000
The judge in Equity	6,000
Five puisné judges of the said court, each	6,000
The judge of the Court for Divorce and Matrimonial Causes	500

That the salaries of the judges of the Supreme Court of the province of New Brunswick shall be as follows :

	Per annum.
The chief justice of the said court	$7,000
The judge in Equity	6,000
Four puisné judges of the said court, each	6,000
The judge of the Court for Divorce and Matrimonial Causes	500

That the salaries of the judges of the Supreme Court of the province of Prince Edward Island shall be as follows :

	Per annum.
The Chief Justice of the said Court, being also judge of the Court of Vice-Admiralty	$6,000
One assistant judge, being also Master of the Rolls in Chancery	5,200
One assistant judge, being also Vice-Chancellor	5,200

That the salaries of the judges of the King's Bench for the province of Manitoba shall be as follows :

	Per annum.
The chief justice of the said court	$7,000
Three puisné judges of the said court, each	6,000

That the salaries of the judges of the Supreme Court for the province of British Columbia shall be as follows :

	Per annum.
The chief justice of the said court	$7,000
Three puisné judges of the said court, each	6,000

That the salaries of the judges of the Supreme Court of the Northwest Territories shall be as follows :

	Per annum.
The chief justice of the said court	$7,000
Four puisné judges of the said court, each	6,000

That the salaries of the judges of the County Courts shall be as follows :

Ontario—The senior judge of the County Court of the county of York, $2,900.

Sixty-seven other judges and junior judges of other County Courts and District Courts, each, $2,500 per annum during the first three years of service, and after three years of service, each, $3,000 per annum.

Nova Scotia—The judge of the County Court of the county of Halifax, $3,000 per annum.

The judge of the County Court of district No. 7, $3,000 per annum.

Five other County Court judges, each, $2,500 per annum during the first three years of servince, and after three years of service, each $3,000 per annum.

New Brunswick—The judge of the County Court of the city and county of St. John, $3,000 per annum.

Five other County Court judges, each, $2,500 per annum during the first three years of service, and after three years of service, each, $3,000 per annum.

Prince Edward Island—The judge of the County Court of Queen's county, $3,500 per annum.

Two other County Court judges, each, $2,500 per annum during the first three years of servince, and after three years of service, each $3,000 per annum.

Manitoba—Six County Court judges, each, $2,500 per annum during the first three years of service, and after three years of service, each, $3,000 per annum.

British Columbia—The judges of the County Courts of Cariboo, Westminster, Yale, Nanaimo, Vancouver, Victoria and Atlin, and the judge and junior judge of the County Court of Kootenay, each, $3,000 per annum.

That there shall be paid, in lieu of all travelling allowances heretofore authorized, to each judge, whether of a Superior or County Court, in addition to his moving or transportation expenses, the sum of six dollars for each day during which he is attending as such judge in court or in chambers at any place other than that at which he is by law obliged to reside.

That in the Yukon Territory the judges of the Supreme Court shall be paid such travelling allowances as the Governor in Council determines.

That each of the local judges in Admiralty shall be paid such travelling allowances as the Governor in Council determines.

That every application for payment of any such allowance shall be accompanied by a certificate of the judge applying for it of the number of days for which he is entitled to claim such allowance : provided that in the province of Quebec no travelling allowances shall be granted to any judge requested to sit in review under section 1 of chapter 20 of the statutes of 1898 of the legislature of Quebec, or attending any court held at any other place than that at which he resides, unless it is certified by the chief justice, or the judge performing the duties of chief justice in the district, that the attendance of such judge was in his opinion necessary.

That no judge hereinabove mentioned, shall, either directly or indirectly, as director or manager of any public corporation or firm, or in any other manner whatever, engage in any occupation or business other than his judicial duties ; but every such judge shall devote himself exclusively to such judicial duties.

He said: The purpose of this resolution having been communicated to His Excellency the Governor General, His Excellency gives his assent to the resolution.

Motion agreed to.

SUPREME AND EXCHEQUER COURTS.

Hon. CHARLES FITZPATRICK (Minister of Justice) moved that the House do, at this day's sitting, resolved itself into Committee of the Whole to consider the following resolution:

Resolved, that it is expedient to amend the Supreme and Exchequer Courts Act, and to provide as follows:

That there shall be paid and payable out of the Consolidated Revenue Fund of Canada, the yearly sums following, as and for the salaries of the judges of the Supreme Court of Canada, that is to say: to the chief justice, the sum of ten thousand dollars, and to each of the puisné judges the sum of nine thousand dollars, which sums shall be paid, free and clear of all deductions whatsoever, by monthly instalments; the first payment shall be made pro rata on the first day of the month which occurs next after the appointment of the judge entitled to receive it; and if any judge resigns his office or dies, he or his executor or administrator shall be entitled to receive such proportionate part of the salary aforesaid as has accrued during the time that he has executed such office since the last payment.

That there shall be paid and payable out of the Consolidated Revenue Fund of Canada, the yearly sum of eight thousand dollars as and for the salary of the judge of the Exchequer Court of Canada, which sum shall be paid, free and clear of all deductions whatsoever, by monthly instalments; the first payment shall be made pro rata on the first day of the month which occurs next after the appointment of the judge; and if the judge resigns his office or dies, he or his executor or administrator shall be entitled to receive such proportionate part of the salary aforesaid as has accrued during the time that he has executed such office since the last payment.

That there shall be paid to the said judge for travelling allowances his moving expenses and the sum of six dollars for each day during which he is attending as such judge any court at any place other than the city of Ottawa.

He said : The purpose of this resolution having been communicated to His Excellency the Governor General, His Excellency gives his assent to the resolution.

Motion agreed to.

SUPPLY—KENTVILLE RIFLE RANGE.

Hon. W. S. FIELDING (Minister of Finance). We have no more estimates to deal with, but it is understood that in order that certain matters may be brought forward the motion for Committee of Supply should be made. I therefore make the formal motion that the House go into Committee of Supply, not because we have any further estimates, but in order to give the hon. member for North Toronto (Mr. Foster)) an opportunity to bring up a matter which he wishes to refer to, and in order to give the Minister of Justice (Mr. Fitzpatrick) an opportunity to submit a statement which he wishes to give.

Hon. CHARLES FITZPATRICK (Minister of Justice). In pursuance of the promise made to the hon. member for North Toronto (Mr. Foster) a day or two ago, I now make the following statement with respect to an expropriation of lands for a rifle range at Kentville, N.S. The area of the land expropriated was 263 acres which was purchased in small lots at different times by Mr. Dodge from fourteen different owners. The first purchase was made by Mr. Dodge in 1901 at a time when it was not expected there would be any expropriation proceedings or that the property would be required ; and the average price paid by Mr. Dodge per acre for this land was $11.25. In August, 1903, instructions were received from the Department of Militia and Defence to expropriate the land in question for the rifle range, and $20 an acre for the land, buildings and timber thereon was offered, but the tender was declined. Thereafter it became necessary to proceed by way of expropriation, and after the proper plans and description had been prepared under the Act, the land was expropriated, and on the 14th of September, 1903, the Halifax agent of the Department of Justice was instructed to take the necessary steps to have the amount of compensation determined in the Exchequer Court. The information contained a tender of $20 an acre. In the defence set up by the owner of the land, the claim was made for $40 an acre, in all he claimed $23,680. Proceedings were begun in the courts, and application was made to the judge by the claimant for

the appointment of a referee, and Mr. E. S. Crawley, who is a barrister of twenty years standing in Nova Scotia and recorder of the town of Wolfville, was appointed by the judge as referee to hear witnesses and to make a report. The taking of evidence consumed a good many days, fifteen witnesses were examined as to value on the part of the defence. Among others, I may mention Ross Chipman, brother of Colonel Chipman; Isaac Chipman, son of the late Senator Chipman; W. C. Archibald, a leading horticulturist in the county, Mr. Palmer, Mr. Boyce and Mr. Allan. These witnesses valued the land at from $50 to $100 an acre, and a number of witnesses swore that the wooded portion of the land was worth $64 an acre for the wood standing on it apart from the value of the land. The wooded part of the land, I may say, comprehends about one-third of the whole area. At the time of the reference the Minister of Militia and Defence submitted to the Department of Justice the names of Colonels Beckwith and Irvine as persons who would be likely to afford assistance to the agent of the department in procuring witnesses on behalf of the Crown. After the referee had held his investigation and examined the witnesses that were brought before him, the Department of Justice was notified that he had filed his report, assessing the value of the land at $38,000. The agent of the department was asked to report on the proceedings, and it was then found that the referee had practically disregarded the evidence submitted by the Crown. Our agent was directed to appeal, and he applied to have the valuation modified, upon the appeal, he argued the case here before the judge of the Exchequer Court for that purpose. This was in December, 1904. After the judge had considered the argument he gave judgment ordering the case referred back to the referee for further inquiry and report, as follows:

1. As to the state of the title to the lands the 5th day of December, 1903, all conveyances in respect of the property, made to the defendant, Brenton H. Dodge, after that date will be excluded from the referee's consideration.

2. As to the purchase by the defendant Dodge of the several lands and parcels comprising the lands taken, ascertaining and reporting in each case the name or names of the vendors, the date of sale, the price paid, the number of acres sold, the value of improvements, if any, and the condition under which such sale was in each case made, with a view to determining whether or not the vendors received a fair price, or whether they sold their respective properties for less than a fair price, and if so, the reasons therefor.

Mr. SAM. HUGHES. What is the date of that order?

Mr. FITZPATRICK. I have not got the date. The reference was made in December last, the matter came before the judge in December, but I have not got the date of the order.

Mr. SAM. HUGHES. Did Mr. Dodge get this by instructions from the department?

Mr. FITZPATRICK. No. The first piece of property was purchased in 1901 by sale under a mortgage, and was acquired by Mr. Dodge, who had a large claim against the owner of the property.

Mr. FOSTER. And the condition now is?

Mr. FITZPATRICK. The condition now is that the matter has been referred back to the referee to make a new report to the judge of the Exchequer Court, who will again have an opportunity to decide as to whether the amount allowed by way of compensation is fair and reasonable.

Mr. SAM. HUGHES. Has the minister any record of the prices that were paid by Mr. Dodge and his colleagues, for these lands?

Mr. FITZPATRICK. There is nobody else concerned but Mr. Dodge. The total price given for the 623 acres by Mr. Dodge was $7,011.40, making the average $11.25 per acre. He has asked us to pay $40 an acre.

Perhaps I may observe here that at the time this matter was up for consideration, reference was made by the hon. member for Simcoe to a purchase of land from Mr. Couture, at Lévis, in connection with the Intercolonial, and I wish to make a statement in regard to that, as I was at the time absent from the House. The Department of Railways and Canals offered by way of compensation for this land, which is situated in the immediate vicinity of the Intercolonial station at Lévis, $1.40 per square foot, the area of the land being 22,356 feet. The matter coming before me, with the knowledge I had of the conditions existing at that place, I advised the department to improve their offer, and suggested that they offer $1.50. At the time Mr. Couture declared he was prepared to accept that offer; he told me he would take $1.50, and I strongly urged the department to accept his proposition. But the officials of the Department of Railways and Canals were of a different opinion, and decided to adhere to their offer of $1.40. The result was that the matter came before the Exchequer Court, and after witnesses were examined, the value fixed by the court was $2.50, that we were obliged to pay for the property. The charge by the hon. member for Simcoe was that I had interfered improperly—so I did, for the protection of the Crown, however as subsequent events prove. I would like to say that in the same locality, in connection with the expropriation of property for the St. Charles branch of the Intercolonial Railway, there was paid from $2.50 to $4.50 per square foot, in 1883. It was proved in the case that for land in the same locality there had been paid in 1887, $2.61

a square foot ; in 1886, $2.29 ; in 1887, $3.35; in 1889, for property with a wharf, $6 per foot ; and in 1887, for land similarly situated to the east, $2.85 ; and for another piece of land in the same year, $6.30.

Mr. FOSTER. May I ask the minister what is the decision of the Crown in the end with reference to this expropriation at Kentville ?

Mr. FITZPATRICK. An appeal to the Supreme Court or even to the Privy Council.

Mr. SAM. HUGHES. Mr. Speaker, some month or two ago I had the honour of bringing before the House the matter of this Kentville military camp site. I presented evidence to the House at that time showing that this Mr. Dodge and a gentleman named Wickware, who were members of the Liberal party and of the provincial legislature in Nova Scotia, had for a year or more been quietly acquiring little tracts of property in the vicinity of this camp site amounting in all to 640 acres, at from $1 to $2 an acre for a great many acres and going up to $5 or $6 an acre. I took the opportunity of going over to the Exchequer Court and glancing over such of the evidence as I could find there. I gleaned the further fact from the evidence of some of the gentlemen who went before the commission that a portion of the property was a blueberry barren and that the remainder was covered with a scrubby species of pine. I do not know the details as I have never had an opportunity of visiting the camp, although I purpose seeing it some day, and probably the matter will come up in the House again, but the fact has been put forward that two political friends of the Liberal party and two members of the provincial House acquired this property by some prescience unknown to the general public and that it was transferred to the government at a figure, which, if the award had been carried out, would have amounted to $60 an acre. The price is some $38,000 under the award, and as there are 640 acres that would amount to about $60 an acre ; that is that a property was transferred to the government at $60 an acre under the award of the referee, which according to the contention of the hon Minister of Militia and Defence (Sir Frederick Borden), cost only $11 an acre at the outside, a valuation, which, I think, if the facts and records be gone into further, will be found to be considerably in excess of the real value. I presume that in that $11 an acre there are several houses included which I understand have been disposed of, the valuation of which, if subtracted, would necessarily reduce the cost of the land. The matter is not settled yet, I do not know what the award will be but I think it is quite reprehensible that any hon. gentleman should be permitted to secure a property such as this property at Kentville, and then after it has been secured attempt to unload it on the people of the Dominion at an abnormal price.

Mr. FITZPATRICK. A long time before the hon. gentleman dreamed of bringing this matter before the House we had taken the necessary steps to prevent anything that he has complained of from occurring.

Sir FREDERICK BORDEN. I desire to say a single word. I think the statement or insinuation which the hon. member for Victoria and Haliburton (Mr. Sam Hughes)——

Mr. SAM. HUGHES. I made a straight assertion. I made no insinuation.

Sir FREDERICK BORDEN. If the hon. gentleman has any charges to make against anybody he had better make them. The insinuation is, if it means anything, that the Militia Department gave information to Mr. Dodge by which he would know in advance that this property was to be taken over for a rifle range and that by co-operation on the part of the Militia Department he was enabled to buy the property at a low figure and sell it at a high figure. I wish to state that such an insinuation is absolutely and utterly unfounded and that it is a most unfair statement to make. Everything in this matter, as far as the Militia Department is concerned, has been straightforward. Mr. Dodge, as my hon. friend the Minister of Justice has said, had a mortgage over a large portion of this property or a judgment against it. The property was sold by process of the court and Mr. Dodge to protect himself, bid in at public auction a considerable portion of it.

Mr. FOSTER. How much ?

Sir FREDERICK BORDEN. I do not know, but a large portion of it. That being the case, Mr. Dodge, finding other properties for sale in that vicinity situated within a mile of a most prosperous town, the shire town of Kentville, and in the centre of one of the best fruit producing countries in the Dominion of Canada, it was quite natural that he, being a man of means and a man who was in the habit of buying and selling large quantities of land, should purchase this land without having his motives assailed. This land was selected by the district officer commanding in Nova Scotia, Lieutenant-Colonel Irving, a man against whom no one will venture for one moment to offer any criticism, a gentleman who occupies a very high position in the militia of the country, and who, I may say, was one of the most prominent and active Conservatives in the province of Prince Edward Island where he lived for many years and in the city of Halifax where he lives now, and it was selected as the best place for the rifle range and camp. I have read since the discussion came up here, a few days ago, his statement and I can produce it if necessary. He absolutely states that he believed this to

be the best camp ground in the province. The camp has been held in that county for the last thirty years but the ground became too small where it was held and naturally the military authorities looked in the neighbourhood to see where a better ground could be secured and Colonel Irving himself selected this property as the best one.

Mr. FOSTER. Do you remember the date of the selection ?

Sir FREDERICK BORDEN. It was selected, I think, in 1902 but I am not sure. It may have been early in 1903. Colonel Irving told me, and I think he has stated in his report, that some years before, when Lieutenant-Colonel Chipman, who was a member of this House and supported the Conservative party, was in command of the regiment he had told him that he believed that this would be the best site for a military camp in Nova Scotia. Then the matter came before me as the head of the department. I knew something about the value of lands there. I found that $20 per acre was the price which had been paid for the land twenty-five years ago out of which a first-rate trotting park had been made, that trotting park being a portion of this camp ground. I thought there was no question at all that the land would at least be worth $20 an acre. Twenty dollars an acre was offered and Mr. Dodge declined the offer. That is the whole story from beginning to end. We then set the courts in motion through the Department of Justice in order to take possession of the land. In so far as the department and in so far as I am concerned that is the truth, the whole truth and nothing but the truth.

Mr. FOSTER. I have just a word to say about it. There is one circumstance which seems to me to be worthy of remark. I suppose a great deal would depend upon the referee and the manner in which the evidence was collected. Given a good referee and an impartial and thorough collection and sifting of the evidence every precaution is taken that, I suppose, can be taken in order to get at the proper value of the land to be expropriated.

Sir FREDERICK BORDEN. The agent of the Department of Justice was in charge of this.

Mr. FOSTER. The remark made by the agent of the Department of Justice that the referee had practically ignored the evidence brought before him in favour of the reduction of the price is worthy of notice. I do not see why the referee should do that sort of thing. If that statement was made by counsel and made, I understand, before the judge of the Exchequer Court, it is rather significant as reflecting upon the choice of the referee. I suppose that mistakes will be made in choosing referees as in choosing other things. However, the minister must not at all feel sore; neither must the government feel sore if the facts of the case do arouse suspicion. There is the fact that land held at a very low value is suddenly acquired by a man with reference to whom you can scarcely see what motive he would have in view for buying a large quantity of such land, unless he had very great foresight. This gentleman is also a very great friend of the party and a very great friend of the minister. It is not necessary to charge the department with affording information to a speculator to make money out of it. There are a great many ways in which hints can be given and in which information can leak out from a department, and I think there is no doubt that this did leak out in some way or other. I am not prepared to say how. It is simply impossible for us to come to any other conclusion than that this information was obtained, because the parties investing in the property had a pretty good idea that there was a grand chance there for the selection by the government of a site for the military camp. That may have been great prescience on the part of the long-headed speculator, and he may have a proper claim to charge for his foresight and to get a fair advance upon what he paid for the land. I think the Department of Justice took proper and timely action in regard to the matter, but now that the facts have all come out I do hope that the government will not rest until it has gone to the last court rather than be made to pay abnormal profits. I am not indisposed that a man who makes a little venture that way and puts his money into it—however he may have got his information—should have a fair profit. But when land is valued at only $11 an acre, to attempt to force it on the government at $40 or $50 an acre is simply outrageous. It may be perfectly legally right for a man to ask that, but I hope the government will exhaust every means at its disposal before it pays more than a fair and reasonable profit to the speculator.

MILITARY CAMP FOR SOUTH SIMCOE.

Mr. H. LENNOX (South Simcoe). I wish to direct the attention of the Minister of Militia to the question in reference to the establishment of a military camp in South Simcoe. I am aware of course that at certain stages in a matter of this kind there are things which the minister would not wish to divulge. I have consulted with the minister on one or two occasions and with some of his officials, and they have very kindly informed me from time to time, as far as I believe the public interest would enable them to go. I have reason to believe, however, from certain statements I see in the public press, that probably the matter has now arrived at a stage when it will be safe and proper for the department to make a definite announcement. I believe the site referred to is a most desirable site in

every respect—so far as a man who is not a military man can judge—and I have reason to believe that the department regards it in that light. The people of Simcoe would certainly be glad to know that the question is definitely settled. If the minister can give any definite information I would be very glad to hear it. Of course, I say again that I do not ask for any information which it is not in the public interest to disclose now.

Hon. Sir FREDERICK BORDEN (Minister of Militia and Defence). In view of the discussion we have had, perhaps it would be undesirable that I should give any information. I know that my hon. friend (Mr. Lennox) does not desire to invest in any lands in that vicinity, but possibly some of his friends might see something was going on and before he knew it he would be charged next session with having procured information by which some of his friends could make a handsome amount of money. However, seriously——

Mr. SAM HUGHES. Did not General Otter, your own general, make a public announcement at Niagara camp this year? Did he not announce that there had already been purchased a site in Simcoe county and that the camp was going there next year. It was published in the press; there is no secret about it.

Sir FREDERICK BORDEN. I do not know anything about what Colonel Otter said in camp; I was not there and I am not Colonel Otter's keeper in that regard. I would say to my hon. friend (Mr. Lennox) that the military members of the council have this matter under their control. I hope negotiations will result in the selection of a camp at or near the point to which he refers and which I believe is a very favourable site for a large camp. That is all I can say.

GOVERNMENT OFFICIALS IN THE NORTHWEST TERRITORIES.

Mr. R. S. LAKE (Qu'Appelle). Several evenings ago, in Committee of Supply, the Minister of the Interior was repeatedly asked to give some assurance that the officials of his department would be forbidden to take an active part in the election of representatives to the Dominion or to the provincial legislatures. More than an hour of the time of this House was wasted by his endeavours to evade a direct reply to these requests. He kept harping on the question of the privileges of private citizenship and of the impossibility of prejudging cases. Now, the minister was not asked in any way on that occasion to interfere with the privileges of these officials in their capacity as private citizens, nor to prejudge any case. He was simply asked to give an assurance that if such a thing occurred in future the officials would be punished. I had better read from 'Hansard' a few short extracts from the proceedings on that occasion to explain what I have stated. 'Hansard' of the 11th July, contains the following:

Mr. FOSTER. The minister is not asked to do that at all. He is simply asked whether he will assure the House, when he asks them to vote money for a public servant, that that public servant shall busy himself about his own work and shall not actively interfere in elections. There is only one answer, will the minister give that answer?

Mr. OLIVER. There is more than one answer, because there must necessarily be a difference of opinion as to what constitutes this objectionable activity on the part of any person in the exercise of his rights as a private citizen. I have said already, and I say again, that it is not the part of the head of a department, or of any other man, to restrict improperly the rights of citizenship. As to just where the rights of citizenship end and the duties of the official begin, that must always remain to some extent a matter of opinion and argument.

Later on:

Mr. LAKE. What we object to is that a man who has a special authority and special standing conferred upon him by virtue of his official position, an official position that is paid for by the people of the country, should use that authority and that standing in the interest of one party or the other. We wish the hon. minister to say, whether, if at some time in the future it is proved that an official is using his position in the interest of one party or the other, he will dismiss him.

Mr. OLIVER. I will say, as I have said before, that I will have to take each case as it comes, and that I will have to give judgment on the question as it exists or as it arises. I absolutely cannot in justice to the officials of the department, or in accordance with justice, tell the committee beforehand what judgment shall be given in regard to a case that may arise in the future.

At another stage of the discussion the Minister of the Interior made the definite statement that the fact that a man had been an active supporter of the Liberal party is not a fact which would debar him from employment in the Interior Department so long as he remains the minister. I defy anyone who reads that debate to come to any other conclusion than that the officials of that department would be permitted to interfere in elections on behalf of the government, and that the best road to promotion is for them to do so. I contend that that position is detrimental to the best interests of Canada and that it is also an injustice to the civil servants of this Dominion.

British institutions have in many respects been regarded as the best model for us to follow in the management of our affairs. I think that no institution in Great Britain is more greatly respected than the British civil service. In that service there is no divided allegiance. The British civil servant considers himself the servant of the country

and not the servant of the party for the time being in power, and when he enters the service he is generally informed that he is expected to refrain from taking any active part in the politics of the day. I have always understood that this position has been the model for the Canadian civil service, and I believe that these traditions do prevail in the civil service at Ottawa, and that, except in a few possible individual cases, these traditions are loyally carried out. I believe myself, that it would make it easier to do so, if the British plan of an independent civil service commission were also carried out in this country, if appointments to the civil service were made simply on merit and after competitive examination, and if the whole system of nomination were done away with. A distinction was drawn by the Prime Minister some little time ago between the civil service of Canada and in the United States, and I would like to quote to the House some remarks that he made in regard to a case which was before the House some years ago. He said :

> What is the cause of the abominable practice that has been stigmatized in the States that to the victor belong the spoils ? Why was it that after every presidential election attended by a change of parties in power, the whole civil service was cleared off, the whole body of servants of the government were forced to resign or be dismissed? The reason is obvious, the reason is that every officer under the American system was an active politician, and being an active politician it was quite natural that when the opposite party came into power the man who had been an active politician could not be a trusted servant of the government whom he had opposed. Now when we find an officer in the civil service, however good a servant he may have been, however faithfully he may have discharged his duties, but who has been an active politician, who has taken part in the elections offensively and actively, and before the eyes of the whole community that official has become a scandal in the eyes of the community, and I have no hesitation in saying he cannot be trusted to render faithful service to this government.

While I believe the civil service at headquarters here is acting in a strictly non-partisan way and in accordance with the best traditions of the service, I find that this is not the case when we get away from headquarters. I can only speak myself from actual experience in the Northwest, and there I firmly believe that almost every official of the Department of the Interior, from the highest to the lowest, takes an active partisan part in political contests. At any rate, it is the general impression throughout the whole of the Northwest that the officers are expected to do this for the party in power. It is generally believed that the land and immigration officials under the present regime are nothing more or less than a host of active partisan election workers. We have had statements to that effect from various members of this House. We had the other evening the member from Marquette (Mr. W. J. Roche) making definite charges and expressing his anxiety to have an opportunity to prove these charges, stating he had in his hand at that moment sworn evidence which would conclusively prove charges of active partisan work on the part of civil servants. We have further than that, lists of land and immigration officials who have taken an active part in the recent elections. In one case we had a list of nine men of the Department of the Interior given to this House by name, who had appeared on public platforms or acted as agents of the Liberal party, or done active canvassing for them in one district alone, the Mackenzie district. In the words of the Prime Minister, these men are a scandal in the eyes of the community and cannot be expected to render faithful service.

For my own part, I also have personal knowledge of interference by one official or the other. I have known of definite promises made to electors that favours would be given to them by the government if they would vote in support of the party in power, statements made to me which I have every reason to believe are absolutely true and correct. I have seen an official of the Department of the Interior acting as the agent of my opponent during the actual course of the polling. If any proof of this point were necessary beyond my statement, I would refer to the published statement of election expenses of my opponent, in which this gentleman's name appears, and a charge is made on account of his expenses in attending meetings and visiting electors, at the place to which I have reference, and at another place in the district. This surely is a scandal in the eyes of the community. I do not wish to take up the time of this House at this late period of the session, and I think I need go no further. It requires no words of mine to point out the detrimental effect to the public service of such proceedings as this. It must be patent, and it cannot be denied. In the first instance, there is the neglect of public duty for which public money is paid. No man can get out and do partisan work, attend meetings and canvass without neglecting duties for which money has been set apart by this House. Then we have the pernicious effect, and it must be a pernicious effect, of an official whose position gives him the power of promising that certain government favours shall be given to a man who will vote for the party which is in power at that moment. These are favours which are not within his power as a private individual, to grant, but are favours which he is enabled to promise as a government official, favours which are to be given by the government of the coun-

try. I believe also that this system is most unfair to the civil servants of this country. I do not believe it is possible to get first-class men to enter the civil service if this system is recognized. I do not believe that any strictly honourable man would accept a position in the civil service if it is understood that in addition to his public duties he is to devote a certain portion of his time to active partisanship. Above all, there must always be a great loss to the country if a course is followed which would conflict with the course taken by the right hon. the Prime Minister on a previous occasion, when he said :

When there is a government officer he may hold his opinions, I don't care what they are, they may be Liberal or Conservative. I do not care, but when he is seen on a political platform, when he is actively or offensively prominent as regards party candidates, that man has taken his life in his hands, and no one can have a word to say if he is dismissed from the service.

That means that an experienced official would be dismissed from the service for such partisanship as was reported to the Minister of the Interior last week. The country would lose the advantage of his experience and a new and inexperienced man would be put in his place. There again, in my opinion, the country suffers a distinct loss. In conclusion, I just wish to quote a few words with reference to the case of Mr. Jonasson which were uttered by the First Minister some time ago. Speaking of Mr. Jonasson he said :

He ought not to take any part in politics. I say deliberately that for my part I feel as strongly now in 1903 as I did in 1896, that when a man takes a position in the Civil Service, he should take no part whatever in politics. He becomes an officer of the public, receiving the pay of all parties. He ows his services alone to the position which he occupies. If he wants to vote, let him vote, but let him exercise his franchise in a way that will not be offensive to anybody.

I trust sincerely the right hon. the First Minister will reiterate strongly those statements and that this amendment which I have the honour to move will be allowed to pass. I beg to move :

That whilst it is desirable that every official in the employ of the government of Canada should enjoy perfect freedom of political opinion and the untrammelled exercise of his franchise in accord therewith, no official should be engaged or be permitted to engage in partisan work of any description in the election of a representative to a provincial or Dominion legislature.

Hon. FRANK OLIVER (Minister of the Interior). While the motion is intended, I presume, to define the general policy of any adminstration on the matter in issue, the remarks of the hon. member seem to have been particularly directed to the officials of the Interior Department and the administration of that department, and also to certain opinions I expressed in a previous debate. From the remarks I then made, the hon. gentleman appears to draw the conclusion that under my administration of the Department of the Interior, there has been not only permission but encouragement to the officials to take an active, partisan part in election campaigns. I can only reply that I am not aware of anything I said which could give warrant for any such conclusion. On the contrary everything I did say pointed absolutely in the opposite direction. I would further say that the broad and general allegations the hon. gentleman has made against the officials of my department of partisanship and neglect of duty are completely met by the fact that while there never was a time in which the officials conected with the administration of affairs in the Northwest, have had so much to do as they have at present, neither was there ever a time when we have had less complaint from any section of the people concerning the administration by those officials. As to the accusation that officials of the Interior Department have used their position either to threaten or to induce voters to cast their ballots for certain candidates, I can say that it is absolutely unfounded ; and I would add that if any official were found guilty of such conduct, he would be instantly dismissed. The charge is a grave one, and if any hon. gentleman opposite can prove that any official of my department has used his position to threaten or induce electors to vote, I am prepared to dismiss that official. But when hon. members go beyond that and tell me that I should dictate to the officials of my department what opinions they should hold and what personal action they should take, they must admit that there is always an indefinite and undefined line of division between the duties of an official as such and his rights as a citizen, which I cannot lay down here and which I cannot permit to have laid down for me by hon. gentlemen on the other side.

Mr. FOSTER. Will the hon. gentleman point out any demand made by any gentleman on this side that the private or political opinions of any official of the government should be supervised or controlled by the government or in any way interfered with? That is not the position we take.

Mr. OLIVER. I certainly understood it to be the position taken by hon. gentlemen opposite. In my judgment every citizen, whether a civil servant or not, has a right to his opinion and a right to express it and I shall not be a party in this House to refuse to any man the right to hold an opinion and express it within reasonable bounds.

Mr. FOSTER. Does the hon. gentleman contend that an official has the right to

enforce that opinion by public or private canvass in a contested election.

Mr. OLIVER. That is a matter which must be decided according to the occasion and the circumstances.

Mr. FOSTER. What occasion and circumstances?

Mr. OLIVER. There will always be a difference of opinion as to what constitutes a canvass. I am taking it for granted that, according to what hon. gentlemen opposite have laid down, the expression of an opinion by a government official would be an act of active partisanship. Now, I will admit that it may be an act of active partisanship, and, as such, objectionable; and certainly in the administration of the department, I would object to officials taking an offensively active part in an election. But to say that I must dismiss an official because he has an opinion of his own and has expressed that opinion during an election—well, my hon. friends opposite must leave some right to the private citizen as well as to those who are administering the department.

Mr. COCHRANE. He is not a private citizen, but a government official?

Mr. OLIVER. I have already said that it is my belief that the best work an official can do for the party, for the government and for the country, is to attend to his own business and to attend to it well.

Mr. LAKE. May I ask the minister a question? Do the restrictions he has mentioned apply to a public official appearing on a public platform or acting as the recognized agent at the poll of a candidate?

Mr. OLIVER. It will depend on circumstances.

Some hon. MEMBERS. Oh, oh.

Mr. COCHRANE. It will depend on whether he is a Grit or a Tory.

Mr. OLIVER. Not at all. Hon. gentlemen opposite are funny; but they do not know what they are laughing at. There are positions and positions in the Interior Department, as there are in every other. Do hon. gentlemen opposite suggest that a country postmaster, for instance, who takes an active part in an election shall thereby give reason for his dismissal?

Mr. FOSTER. The Postmaster General (Sir William Mulock) dismissed an officer of that kind on the ground of offensive partisanship.

Mr. OLIVER. I am satisfied that the Postmaster General has retained in office hundreds and thousands who have acted in that way. So, in the Department of the Interior, there are men who are on salary and there are men who are working on commission. I certainly do not think that these two classes of employees should be included in the same category as to their freedom of action in these matters. There are men whose positions are such that by their taking an active interest an idea might be conveyed that the government could be influenced by their views, and the interests of the people affected. In that case greater care would need to be taken than in the case of an official concerning whom it would make no practical difference whether he was on one side or the other, except for his own good. I have given hon. gentlemen opposite every assurance that a minister can give of fairness in the administration of this department and of care that the interests of the public shall not be prejudiced by the actions of officials. But to say that hon. gentlemen on the other side of the House shall here and now, from their places, dictate the future administration of the department is a different matter; and I say it would not be practical for me to put myself in that position.

If I have failed to say it hitherto, I want to say now, that the accusation that has been made so sweepingly against the officials of the Department of the Interior in the Northwest, has no reasonable justification. There may be instances in that large staff of objectionable actions. But on behalf of the officials of the Department of the Interior in the Northwest, I say here and now that, taking them as a whole, they are competent, they are trustworthy, and they have transacted the public business in good faith and to the advantage of the public.

Mr. STOCKTON. I would like to ask one question. In the return of the election expenses for the opponent of my hon. friend from Qu'Appelle (Mr. Lake) in the last election there appears this item:

Expenses R. B. Taylor attending meetings and visiting electors at Neudorf and Beeston, $16.

This gentleman is an official of the Department of the Interior. Would the hon. minister (Mr. Oliver) think that conduct was allowable, or should this gentleman be subject to dismissal for taking an active part in an election?

Mr. OLIVER. If I am permitted to speak again, I can only say that I cannot give off-hand an answer to a question thus read out in the House. If hon. gentlemen opposite want to make a political and party issue of this, they have had a long session of six months in which to do it. They have the Committee on Agriculture and Colonization, the Public Accounts Committee and other means of examining into these questions. I am prepared to deal with all questions connected with the Department of the Interior; but I submit that, to bring up such a question as this at this stage, when there can be no opportunity to either prove or disprove it, is not an

evidence of good faith. It is an attempt, if I judge it aright, to unduly prejudice the public mind on the subject. I know no more of the case referred to by the hon. gentleman (Mr. Stockton) than does any other member of this House. That being the case, it would be an outrageous proceeding on my part to commit myself to the dismissal of this officer, especially as I have said, hon. gentlemen opposite have had six months in which to substantiate any charge they desired to make against him or any other official of the department.

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. R. L. BORDEN. I desire to say a few words on the resolution offered by my hon. friend from Qu'Appelle (Mr. Lake). The Minister of the Interior has taunted my hon. friend and hon gentlemen on this side of the House with bringing this matter up very late in the session. It undoubtedly is very late in the session, but it was not supposed to be necessary at all; and if the Minister of the Interior had given ansders fairly satisfactory to the questions put to him on his estimates, there would have been no occasion at this stage of the session to move any such resolution. The minister, both previously and to-day, has made answer to the proposal of my hon. friend from Qu'Appelle, and to the questions which were put to him, as if it were desired to deal in advance with some individual case. There is no such intention or desire. All that is asked is that in the administration of the Department of the Interior the hon. gentleman shall be guided by the principles that have been stated in very distinct terms by the right hon. gentleman who leads the House. Therefore it is not a question of an individual case, it is a question of affirming for the future a principle which has not only been laid down, but has been acted upon in the past, by the hon. gentlemen who are at the head of affairs in this country at the present time. Unless we are absolutely misinformed, the conditions in the west demand very urgently the enforcement of the principles laid down by the Prime Minister in 1896-97. It has been asserted, and not contradicted, so far as I am aware, that in the west there have been many cases of open, notorious and offensive action by officers of the government in election campaigns. There can be no doubt that this has taken place. The hon. gentleman who is defending the administration in this regard seems to think that he answers that assertion by saying that in all cases, or in a majority of cases, these officers do not so conduct themselves. No one has asserted that all of them, or even a majority of them, do so conduct themselves; but the assertion has been made and so far without contradiction, that some at least of these officers have engaged openly in political warfare during election campaigns, and in some cases have been present at conventions, present upon public platforms, have engaged in canvassing, and have used their official position for the purpose of influencing settlers in that country as to how they should mark their ballot. It is especially odious that this should take place in the west. It is undesirable, and not in accordance with the principles laid down by the Prime Minister, that it should take place anywhere; but it is especially odious and obnoxious that it should take place in the west, because owing to conditions in the west, it is there above all other portions of Canada that an influence of this kind can make itself felt with effect. Therefore the principles which have been supposed to guide the administration in this regard should be acted upon with every possible strictness in dealing with officers of the Interior Department in western Canada. These officers have, as we know, a very great influence over the settlers; they have an especially great influence over settlers in the west of Canada who are not familiar with the institutions under which we live in this country. Some of these settlers come from countries where a greater importance is attached to an official of the government than that which should be attributed to him in this country. When, to a man of that class, is presented the spectacle of an official of the government openly and notoriously advocating the interests of a particular party or a particular candidate, we may be sure that such influence makes itself felt, and we may be sure that influence of this kind, bad enough in its exercise anywhere, is especially obnoxious to our people and to our institutions in that great western country.

Now the Prime Minister has said, in the language quoted by my hon. friend from Qu'Appelle, that an officer who interferes in this way by open, active and offensive partisanship, makes himself a public scandal. That is much stronger language than has been used by any one on this side of the House, and it is stronger language than is used in the resolution which has been submitted to the House to-day. That resolution states in a very moderate, but at the same time in a very definite shape, the principle upon which the administration undertook to be guided in 1896 when they assumed office, and under which they have professed to act up to the present time. In view of the hesitating, the somewhat evasive answers of the Minister of the Interior, I think it is right that this principle should be stated definitely to the House, and should be accepted by the administration, in order that we may know that it is not only a principle which is professed by the administration, but that it is a principle upon which the government of this coun-

try, and especially the Department of the Interior, will be guided in conducting the affairs of that department, and of other departments, not only in the west of Canada, but in every other section of this country.

Sir WILFRID LAURIER. The motion which has been placed in your hands by my hon. friend from Qu'Appelle is in these words:

> That whilst it is desirable that every official in the employ of the government of Canada should enjoy perfect freedom of political opinion and the untrammelled exercise of his franchise in accord therewith, no official should be engaged or permitted to engage in partisan work of any description in the election of a representative to the provincial or Dominion legislature.

There is nothing in this resolution which has not been accepted more than once by this government, and upon which we have not declared more than once that it is our intention to act. Therefore, I have no hesitation at all in saying that I am ready on the part of the government, to accept this resolution. The only point I had any hesitation about was as to whether this resolution should be limited to Dominion elections, or to provincial elections. It may be said perhaps that we have no jurisdiction over provincial matters and that the resolution goes too far in including provincial elections as well as Dominion elections. But after reflection I have come to the conclusion that we would accept the motion as it reads. Political parties are not so differentiated between Dominion and provincial politics as to make it advisable that they should be treated in a different manner. We accept the services of all those who are engaged in the civil service of this country on the understanding that they shall give their undivided attention to their business. Of course, they are citizens, they have the right of franchise, they have the right to their opinions; they have the right, as I have said before, of citizens to express their opinions. But for my part I am strongly of the opinion I held when in opposition, that an official who takes an offensive part in election campaigns makes himself and his party a scandal, places himself at once at variance with a large portion of the community who contribute towards the payment of his salary, and minimizes to that extent his usefulness. Therefore he detracts from the service which he is expected to give. If he is a wise man he will simply record his vote without giving offence to any one. Now it is difficult to draw the line between his right as a citizen and the point where he treads on forbidden ground. This is a matter which I think it is quite impossible for us to define in actual words. Every case can be examined, and submitted to the common sense and fairness of those who have to decide upon it. Primarily it is for the minister to say whether that man has trespassed on forbidden ground or has remained within the legitimate exercise of his functions. I listened this morning to the hon. member for St. John (Mr. Stockton) who quoted the individual case of a man who was charged with having visited the electors. Well, my hon. friend stated that he did not quote the case for the purpose of opposing the motion of my hon. friend from Qu'Appelle. The question arises whether the object for which he visited these electors was legitimate or not legitimate.

Mr. LAKE. This gentleman was acting in my presence as a scrutineer.

Sir WILFRID LAURIER. If he was acting as a scrutineer, he was going farther than I would permit him to go. I do not think that an officer of the government should act as a scrutineer or an agent. I do not think an officer of the government should do anything else but record his vote and exercise the legitimate functions of citizenship. An officer of the government has no right to do things which are supposed to be the function of those whom we know as partisans. To that extent I am quite willing to go, but I would not be disposed at this moment to prejudge any case. Having laid down this rule, I think that this case ought to be dealt with accordingly.

Mr. FOSTER. I said the most of what I had to say in Committee of Supply, when we were going over the items in reference to the officers of the Interior Department in the Northwest Territories. I believe I said what is in exact accord with what the right hon. Prime Minister has said now; and for my part I am sure that this side of the House will be very glad that the Prime Minister has stated the matter as he has. It is entirely satisfactory to us. We do not wish for any party advantage either one way or the other. We want all sorts of political opinions that may chance to be held to have a fair opportunity for expression, but outside of that officials ought not to go. When the principle is laid down each case, of course, will be decided on its merits. We never had, and I certainly never had the least thought of asking, in the debate which took place the other day, for the prejudgment of any case.

Amendment (Mr. Lake) agreed to.

Motion agreed to, and House went into Committee of Supply.

Progress reported.

YUKON TERRITORY—ORDERS IN COUNCIL.

Hon. FRANK OLIVER (Minister of the Interior). Mr. Speaker, with the leave of the House, I want to give notice of the following resolution for to-morrow:

That the regulations made by the Governor in Council, under the authority of section 47 of the Dominion Lands Act, applicable or relating to the Yukon Territory and set forth in the Orders in Council of which the dates are, respectively, as follows and of which copies have been laid before this House, are approved by this House in accordance with the provisions of section 5, of chapter 34 of the Statutes of 1902.

The motion is merely formal. The Orders in Council have to be placed on the table and approved by the House in order that they shall be kept alive.

Mr. R. L. BORDEN. I think the motion should be concurred in. It is in consequence of some legislation passed three years ago, which makes it necessary that these regulations shall be confirmed by both branches of parliament. Otherwise they would lapse at the end of the session. The hon. minister being new at his department, there has been a little delay, and I think, under the circumstances, that the House should concur at once. I will have the resolution looked at to-day by one of my hon. friends on this side of the House so that we may facilitate its passage to-morrow.

HALF-BREED SCRIP.

Mr. FOSTER. Just at this point, perhaps my hon. friend the Minister of Justice might tell the House what has been done in reference to the scrip investigation. He has been kind enough to inform me of every step that has been taken, but probably the House might wish to know it.

Mr. FITZPATRICK. The government instructed me to appoint counsel to attend the investigation and prosecute the inquiry generally, and for that purpose I made the selection of Mr. Isaac Campbell, K.C., of Winnipeg. On Saturday afternoon I received a communication from Mr. Campbell to say that he would not be in a position to accept a retainer, and as a result I communicated with him and asked him to communicate the name of some one whom he would suggest to take the retainer in his place. I have not received an answer from him yet, but I expect one during the course of the day.

SALARY OF THE FIRST MINISTER.

House in committee to consider the following proposed resolution :

Resolved, that it is expedient to provide that the salary of the First Minister shall be $12,000 per annum.

Hon. W. S. FIELDING (Minister of Finance). Mr. Chairman, while there are subjects upon which there may be differences of opinion in this House, I think I am correct in saying that there is practically no difference of opinion in respect to this legislation. I think it is the general opinion of the members of the House, as far as I am aware, and I think I am correct in saying that it is the general condition of public opinion outside, that there should be a larger remuneration, not necessarily for the present incumbent, but for the gentleman, whoever he may be and to whatever party he may belong, who holds the high position of Prime Minister of Canada. Holding that belief, I think that I am giving effect to the wish of the House and to public opinion outside when I move that after the passing of this Act the Prime Minister shall be entitled to receive, instead of the $8,000 that he now receives, a salary of $12,000 per annum. I know from some expressions of opinion that I have heard that if there be a difference it is not in the direction of thinking that the appropriation is too much, but there are hon. members on both sides of the House who have expressed the opinion that the allowance should be larger. We have, however, thought that in fixing the salary at $12,000 we were making what is only a reasonable and moderate allowance to the officer who may fill that very important public office—the highest office in the Dominion of Canada.

Mr. R. L. BORDEN. I support very heartily indeed the resolution which has been moved by my hon. friend the Minister of Finance (Mr. Fielding). The position of Prime Minister of Canada is one, not only of great dignity, but of enormous responsibility. It is right and fitting that an adequate provision should be made by the country for the gentleman who fills that position for the time being, whoever he may be. We cannot expect that the public servants of this country shall receive pecuniary reward to the same extent as the servants of great corporations on this continent and elsewhere. That will never be brought about, and it is not proper or desirable that any attempt to that end should be made, but the moderate increase which is now proposed in the salary of the Prime Minister is one which I think will thoroughly commend itself to the good judgment of the people of this country without regard to party, and, as far as I am personally concerned, it does commend itself most heartily to my own judgment.

Resolution reported, read the second time and agreed to.

Hon. W. S. FIELDING (Minister of Finance) moved for leave to introduce Bill (No. 201) respecting the salary of the First Minister.

Motion agreed to, and Bill read the first time.

THE SENATE AND HOUSE OF COMMONS.

House in committee to consider the following proposed resolution :

Resolved, that it is expedient to amend the Act respecting the Senate and House of Commons, and to provide as follows :

That in each session of parliament, beginning with the present session, there shall be allowed each member of the Senate and House of Commons attending at such session, twenty dollars for each day's attendance; and if the session extends beyond thirty days, then there shall be payable to each member of the Senate and House of Commons attending at such session, a sessional allowance of two thousand five hundred dollars, and no more.

That to the member occupying the recognized position of the leader of the opposition in the House of Commons, there shall be paid an additional sessional allowance not exceeding seven thousand dollars.

That a deduction at the rate of fifteen dollars per day shall be made from such sessional allowance for every day on which the member does not attend a sitting of the House of which he is a member.—Mr. Fitzpatrick.

Hon. CHARLES FITZPATRICK (Minister of Justice). I wish to amend that so as to make it read 'that for each session of parliament hereafter held a reduction of the rate, &c.'

Amendment agreed to.

Mr. LENNOX. In the old Act there are the words 'or of some committee thereof.' I do not know whether or not the minister intentionally left out these words.

Mr. FITZPATRICK. These words were intentionally omitted.

That a member shall not be entitled to the said sessional allowance for any less than thirty-one days' attendance; but his allowance for any less number of days shall be twenty dollars for each day's attendance.

That the said allowance may be paid on the last day of each month to the extent of fifteen dollars for each day's attendance, but the remainder shall be retained by the clerk or accountant of the proper House until the close of the session, when the final payments shall be made.

I wish to amend that by changing $15 to $10, and also to add the words: for each session of parliament hereafter held.

That if any person is from any cause a member of either House for a part only of any session, then, provided he is a member for upwards of thirty days during such session, he shall be entitled to the sessional allowance hereinbefore mentioned, subject to the deduction aforesaid for non-attendance as a member, and also to a deduction of fifteen dollars for each day of such session before he was elected or appointed, or after he ceased to be a member, as the case may be. But if he is a member for only thirty days or less, he shall be entitled only to twenty dollars for each day's attendance at such session, whatever is the length thereof; provided always that a member of either House for a part only of a session who becomes during the session a member of the other House, shall not be entitled to more than two thousand five hundred dollars for the session.

That there shall also be allowed to each member of the Senate and of the House of Commons, his actual moving or transportation expenses between his place of residence and Ottawa, going and coming once each way; but no such allowance shall be made for travelling outside of Canada except from one point in Canada to another by any direct route.

That at the end of each month, and at the end of the session, each member shall furnish the clerk of the House of which he is a member with a statement signed by him of the number of days' attendance during the month or session, as the case may be, for which he is entitled to the said allowance; that every member applying for a travelling allowance shall furnish the clerk of the House of which he is a member with a statement signed by him of his actual moving or transportation expenses, as hereinabove provided; and that upon the said statements being certified by the clerk and sworn to by the member before the accountant, or assistant accountant, of the House, or any person authorized to take affidavits, the accountant shall pay to the member the allowance to which he is entitled according to the said statements.

Mr. STOCKTON. I want to say a word or two on this resolution before it is passed. I notice that it is stated in some quarters that it is both novel and illogical for parliament to pay any remuneration above the sessional indemnity to the recognized leader of the opposition. I heartily concur in the resolution giving the additional amount to the Prime Minister. I think that when a gentleman attains the high and distinguished and responsible position of Prime Minister of Canada he is entitled to the amount we are voting to-day. I know, Sir, that under the constitution of the mother country, under the law and the constitution, there is no such office recognized as Prime Minister, no such office recognized as leader of the opposition, but under the usages of our constitutional system the Prime Minister and the leader of the opposition are important factors in the public life of the country. In Canada the existence of a Prime Minister is recognized by our statutes, because you find under the revised statutes of Canada that the First Minister is to get $1,000 more than the other members of the cabinet. I find also that we recognize the existence of the leader of the opposition under our constitutional system in Canada by the fact that we appropriate in this parliament every year a certain amount of public funds for clerical services for the leader of the opposition. Therefore there is in that case a recognization not only of the Prime Minister as such in Canada but also of the existence of the leader of the opposition, and in Ontario in the estimates of 1905 it is expressly stated that a certain amount of money shall be given every year for:

Clerks of committees, secretary to the Speaker and leader of the opposition for salaries, $5,000.

That is a distinct recognition of the position of leader of the opposition in the great province of Ontario. Then in that province also by referring to the Revised Statutes of Ontario, Vol. 1, chapter 8, sections 40 and

41, it will be seen that in the case of elections there are circumstances in which the certificate must be signed by the First Minister and by the leader of the opposition in Ontario. But it may be said, and I have seen it in the public press stated, it is illogical and that it is novel to give to the leader of the opposition a certain remuneration or a certain amount of sessional indemnity larger than that given to an ordinary member. Under our system of government it is important that we should have a Prime Minister, it is important that we should have a committee of this House to be responsible for the administration of the public affairs of this country, and we know that it is equally important that we should have a leader of the opposition representing the views opposed to those of the government of the day with respect to the administration of public affairs. If we are going to obtain a man for the position having the proper qualifications, giving his time to it, is the amount of $7,000 too much for the services rendered to the country by the gentleman opposite occupying that important and responsible position ? Speaking for myself I am in favour of the advance to the Prime Minister of the country, I am in favour of the additional vote proposed by the Minister of Finance with respect to the leader of the opposition.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister). In giving this day an indemnity to the recognized person who occupies the position of leader of the opposition I do not admit that we are making a departure from our system of constitutional government ; I contend on the contrary that we are simply coming to a new stage in the development of constitutional government. It is a strange fact but it is a fact which is known to everybody that the very basis of our system of constitutional government is that the cabinet has no recognized position under the law. The system has been gradually evolved in the course of ages by the nation which has been the head and front and mother of all constitutional parliaments everywhere. But in Great Britain it so happens that the men who are engaged in the task of legislating for the nation all belong to a class which we have not in this country ; that is to say they are men of leisure and of means. In this country we have no men of leisure or of means ; we are all bound to work for the bread of every day and we must recognize this, and we are simply recognizing it. The leader of the opposition under our system is just as much a part of the constitutional system of government as the Prime Minister himself. We acknowledge that it is better for the country, that it is indeed essential for the country that the shades of opinion which are represented on both sides of this House should be placed as far as possible on a footing of equality and that we should have a strong opposition to voice the views of those who do not think with the majority, and moreover that we should have that legitimate criticism, not only legitimate criticism, but necessary criticism which is essential to good government in any land. I have thought for a long time that it is not fair that the person who holds the position of leader of the opposition should be called upon to give his services to the country without any remuneration at all. It is not to be expected that he can give to the discharge of his important duties the attention which they need and demand, it is not to be expected that if he has to pursue his ordinary vocation as well as attending to his public duties he can do the two things at one time ; either his public duties must suffer or his own private duties must suffer and under such circumstances I think the country is rich enough to pay the services of the gentleman who for the time being is discharging the important functions entrusted to him. The idea is not a new one. It has been before the public for a good many years but as in all British countries these things do not come to maturity in a moment ; they are discussed and discussed and it is only after public opinion has become, as I may say, overwhelming that at last parliament gives it expression and in so doing I think we are only doing what is fair and right and what will be approved by all shades of opinion in this country.

Hon. W. S. FIELDING (Minister of Finance). I think this proposal or a proposal akin to this was first made a few years ago in the legislature of Ontario. As far as my recollection goes that was the first time anything of the kind was proposed and I remember that as a student at that time, when it was first mentioned, it struck me as being, if I might quote the words of the hon. member for St. John (Mr. Stockton) perhaps illogical and unusual, and I have no doubt that many on first hearing of a proposal of this kind would offer that same criticism, I am forced on reflection to the conclusion that the leader of the government has correctly expressed the idea when he says that this is but a further evidence of the development of our system of responsible government. We do not doubt for a moment that the leader of the opposition has great labours to perform. We who watch the man, whoever he may be who occupies that position, from day to day know that he is obliged to be most diligent and watchful and that he is no less responsible in the way of attendance on the House than any cabinet minister and that he has to devote to his public duties as much time as any minister. Even out of the session he has large and important responsibilities which under our system of government seem to be necessary for the working out of our own government. We on the government side naturally think that we are

trying to do what is right, not always with the acknowledgment we think ought to be given, but I suppose any government would practically admit that it is liable to error, and that we are all the better to for having our proposals viewed by gentlemen who do not approach the matter from the same standpoint and who may be able to offers suggestions and amendments which will help us to mature good legislation and work out the purpose which all should have in view. Admitting that I was at one stage one of those who looked upon this with some doubt, who doubted whether it was not, if I may use the word, 'un-British,' I have joined my colleagues in coming to the conclusion expressed by my right hon. leader the First Minister and in agreeing with them that we are but giving another evidence of the development of the system of British government by providing a reasonable and adequate indemnity for those who, by the constitution, are obliged to undertake work requiring a great deal of time and labour and involving a large measure of responsibility.

Mr. W. F. MACLEAN. I am one of those who have never been able to see why the leader of the opposition should take the vow of chastity—I mean poverty—why ministers of the Crown should not be obliged to take the same vow, or the other as well for that matter. But there is a constitutional point which, I think, is worthy of some attention. We may be, unless we guard ourselves in some way, infringing upon the prerogatives of the Crown, because it is an undoubted prerogative of the Crown to choose whomsoever the Crown may see fit to form a new administration when the old one goes out. The action we are asked to take might bear this significance. Parliament might thereby be assuming to itself to dictate who shall be the man the Crown must send for to form a new cabinet. I do not think that is the intention. I can best illustrate the point by referring to the state of affairs now existing in the old land. Everybody in England is discussing the new election shortly to be held. Everybody is discussing whether the outcome will be the continuance in office of the Balfour administration or its replacement by a new cabinet. And in connection with that prospective Liberal administration the great question, and the question which no man can solve in England, is whether the King will send for Mr. Campbell-Bannerman or Lord Rosebery or the Earl of Spencer or Mr. Askwith or Mr. Chamberlain for that matter. But entire liberty of choice is left the Crown. Our action to-day here, however, might in some way be construed to mean that in giving an allowance to the leader of the opposition, we may be interfering with the liberty of action of the Crown in that matter. I am sure that is not the intention, and I think it would so appear to the country; but I do think it is only fair to make the statement that it might bear that constitutional interpretation while parliament had no such intention.

Sir WILFRID LAURIER. I think that my hon. friend will on reflection agree that there is nothing in the point he has raised which calls for very serious attention. Whether the leader of the opposition receives an indemnity or not, his position is as well known to the Sovereign as it ever was. If there is to be a change of government, the prerogative of the Sovereign is not at all limited. He can send for whomever he pleases, and whomever he sends for will have to receive the assent of parliament.

Mr. FITZPATRICK. Under the system of law which prevails in the province of Quebec, we have a functionary known and described as the Legitime Contradicteur.

Mr. BELCOURT. L'Avocat du Diable.

Mr. FITZPATRICK. That is the more expressive term. His duties consist in putting before the court all the objections that can possibly be found to any proposal that is made. My hon. friend the leader of the opposition at present fulfils that duty. He occupies a position analogous to the one I have mentioned; and we are not in any way encroaching on the functions of the Governor General or his rights or privileges in adopting this resolution. On the other hand, so far as this House is concerned, we are making provision for a gentleman who occupies a position in our parliamentary life which has been long recognized as essential to the proper working out of our parliamentary institution. We are not making any selection which will be binding on anybody, but are purely and simply making provision for the proper recognition of the labours of the gentleman who fills an office essential to the working out of our constitution. This is not the act of the government or of any party. It is not the act of the opposition any more than the act of the ministerial supporters. It is the act of parliament, which recognizes the labours of this particular gentleman as deserving of its consideration. I intended to say a few words about the qualifications of our hon. friend, but in this I was anticipated by my hon. friend from St. John (Mr. Stockton). I know something of the position which my hon. friend, the leader of the opposition, holds in the public eye. Being a member of the bar, I must of necessity be familiar with his antecedents and his record in that profession. They are known to every member of the bar of this country; and I can speak from personal knowledge when I say that the sacrifices he has been called on to make since he has been in public life far exceed any remuneration we propose to give him.

Resolutions read the second time and agreed to.

Mr. FITZPATRICK moved for leave to introduce Bill (No. 202) respecting the Senate and the House of Commons.

Motion agreed to, and Bill read the first time.

ANNUITY TO EX-CABINET MINISTERS.

House in committee to consider the following proposed resolution :

1. That it is expedient to provide that every member of the Privy Council of Canada who has served as a cabinet minister and head of a department for the full period of five consecutive years, shall upon his retirement from the cabinet, be entitled to receive, out of the Consolidated Revenue Fund of Canada, an annuity equal to one-half of the salary attached to his office or position at the time of his retirement.

2. If any person receiving an annuity hereunder becomes entitled to any salary in respect of any public office under the government of Canada, or to the additional sessional allowance provided for the leader of the opposition in the House of Commons, such salary or allowance shall be reduced by the amount of such annuity.—Mr. Fielding.

Hon. W. S. FIELDING (Minister of Finance). In all the larger affairs of life, more particularly in the affairs of great corporations, there is a growing tendency to recognize the fact that the men who served these corporations, or who, in some department of life, served the public long and faithfully, should, on their retirement from active service, receive some reasonable allowance which may be useful to them in the evening of life. The tendency of the age is more and more towards that system. Our great banks and railways and the larger corporations find it not only necessary, but expedient and wise to make allowances to their officials when they retire from active service. The only wonder is that this system has not hitherto been applied to those who discharge the high responsibilities of cabinet ministers and heads of departments.

We have long recognized the need of such an allowance in the case of the judges of the land, and no one doubts that it is a wise and proper arrangement to make. It is deemed well that those who have great responsibility in our judicial system, those who are called upon to deal with the affairs of others, should be above suspicion, and, if possible, above temptation. It is a wise system which provides that these shall have reasonable compensation during the period of their active work and a reasonable allowance upon their retirement. But strange to say, nobody has a thought—or at least nobody has acted upon the thought—that some such arrangement should be made in the case of those who serve the public in a department of life which is no less responsible than that of the judges, that is by no means less laborious, and by no means less open to temptation. We provide, under our existing legislation, that a judge who serves for a period of fifteen years should, besides receiving the salary of his office, be entitled on his retirement to two-thirds of his salary. Even if he serves for only a few days and is rendered incapable by illness or accident longer to discharge his duties, he may be retired upon an annuity equal to two-thirds of his salary. And in case of a judge serving for a certain longer period he may be retired on full salary. The general recognition of the principle in the public life of the country as respects judges, ought to show our people that the same system should apply to privy councillors and heads of departments. If the duties of the two are compared it will not be to the disadvantage of the office of cabinet minister. The judge with his responsibility has a quieter, easier life than the man who follows the active duties of a cabinet minister and head of a department. There are many responsibilities which the man in public life is called upon to bear which do not naturally attach themselves to the office of a judge, and the probability is, nine times out of ten, that the man retiring from the position of cabinet minister after a given period of years will be poorer than when he entered it—certainly no better off than the judge who has served for the same period. So, I think, we may recognize the principle that something should be done for the man who serves the state in that way. The question arises what shall be a reasonable period of service to entitle a man to some recognition of that kind. Unfortunately, no matter where you draw the line, you will find yourself excluding somebody whom, on personal grounds, you would like to take in. No system that could be devised would be absolutely free from criticism. I think that in taking five years' service we are limiting the system to a number of persons which will not be held open to criticism. Five years' consecutive service as a cabinet minister and head of a department is a good deal. In most cases this means many years' prior service in the active work of the country, because men do not become cabinet ministers as a rule until after they have been in public life for a considerable time. In taking the five consecutive years' service as a cabinet minister, therefore we are setting up a high standard and limiting this pension to a very moderate number of people. No doubt we shall take in some persons who have no great need of this pension, but we must proceed upon some appropriate general rule. In fixing five years we shall also exclude some who have served the state faithfully and who, some may say, are worthy of recognition. But no period that could be mentioned would be beyond that criticism—no matter where the line is drawn you will take in some persons who do not need the compensation and will leave out others to whom we would naturally desire

to extend the benefits of the system. But if we are to fix a period I do not know of any that can be suggested that would be better than the one here chosen—five years' continuous active service at the head of a department.

Under this arrangement we provide allowances for twelve gentlemen who are now ex-cabinet ministers. Three of these are gentlemen who have served in the present cabinet and have retired. The remainder have served in cabinets of former years. These twelve gentlemen under this arrangement will receive an allowance of half pay. I do not think that is a very extravagant sum for the country to appropriate in order that some measure of justice would be done to these gentlemen. I think it is only meet and proper that this should be done in recognition of the work of gentlemen who have served the Dominion of Canada in the high office of minister of the Crown; who have given their time and labour to the country, and who find themselves in the evening of life with little or no means. The spectacle of these gentlemen neglected by the country is not creditable to our people or to our government. I think the country may be well called upon to make an arrangement which will give these gentlemen on their retirement some moderate allowance which will enable them to live in a position of dignity in keeping with the rank and position they have held in the past. Holding these views the government have come to the conclusion that if we are to deal with this matter now is a fitting time. One gentleman who is a very careful observer of these things said to-day: A few years hence when this matter is discussed the only wonder will be that thirty years of the life of the Dominion of Canada were allowed to pass before making any provision of this kind. I am persuaded that the more the matter is thought of, the more this motion will meet the favour of the people of this country. It may be that some verbal amendments will be necessary in order to make the motion as clear as it should be made, but I think that the purpose it is designed to effect will meet the approval of the House and the country.

Mr. R. L. BORDEN. Whatever may be said of any other proposition that has been before the House to-day, this proposition is not without precedent in English-speaking countries. There is a provision at the present time in Great Britain by which three classes of pensions for ex-ministers of the Crown are created. The first-class pension is of £2,000 a year for those who have had four years' service in an office of not less than £5,000 a year; the second-class, £1,200 a year for five years' service in offices of less than £5,000 and not less than £2,000; the third-class, £800 for five years' service in an office of less than £2,000 a year and not more than £1,000 a year. In Great Britain the period of service may be continuous or at different times and in different offices of the same class. There is a limit to the number of pensions which may be granted in each class, but the principle involved is exactly the principle to which effect will be given under these proposals of the administration. I am heartily in accord with the principle of grating pensions to ministers of the Crown who have served for a certain period. The difficulty, as the Minister of Finance (Mr. Fielding) has pointed out, is to decide where the line should be drawn. You cannot be expected to give a pension to a man who has served in charge of a department for only a few weeks or a few months. It is only by fixing a fair period of service that you will do approximate justice. I have considered pretty carefully the proposals of the administration, and have endeavoured to find some provision which will more nearly accord with my views of how this matter ought to be worked out. But I am bound to say, after careful consideration, that I do not know that I could propose anything which would be better or more in the interest of the country than that which the government have now submitted. I did think that a shorter time of service might be fixed, the number of pensions limited and the selection left to the Governor in Council or the Governor in Council upon recommendation of a parliamentary committee; but, upon reflection and consideration, I am inclined to think the resolution brought down is better than anything I have been able to work out.

This proposal will not do complete justice. It is impossible to do absolute and complete justice in every case. There are men who have served the country for a period of less than five years, whom I would be very glad to see in receipt of a recognition of this kind; and certain considerations could be urged against the effect of the proposal of the government in other cases. However, looking at the principle of the resolution, I believe it will commend itself to the great majority of the people of this country. The incomes which cabinet ministers enjoy at the present time are not princely, to say the least, they are comparatively small, not only in comparison with what is received by men who are in the employment of great corporations, not only small in comparison with the reward which attends success in professional and business life, but they are small indeed compared with the salaries which are enjoyed by men in the same position in other English speaking countries. Having regard, then, to the fact that these salaries are at the present time very moderate, having regard to what is still more important and must always be kept in view, that we must so frame the conditions of our public life as to attract the best men, I think the resolu-

tions of the government are reasonable. The number of men from whom may be selected those who are to form cabinets in Canada should be as large as possible. The conditions of public life at the present time are perhaps not very attractive. I know from my own experience that to fulfil the duties which devolve upon a man leading a political party in this country, even in opposition, demands the whole of his time, the whole of his energies, if he gives to the service of the country that time and attention which the public interest demands. This is not less true of a cabinet minister. As the Minister of Finance has pointed out, the cabinet minister comes to his position in most cases only after many hard years spent in public life. I regard as the best reason and the best justification for the proposals of the government, the necessity that we should have as far as possible in public life in this country, and especially in the administrations of the government, the very best men that Canada produces. The conditions of public life at present are not too attractive. This proposal of the administration will at least do something to lessen some of the necessary sacrifices, some of the enormous sacrifices, I might say, which confront any man who intends to devote his time and energies to public affairs. There have been a great many men, a majority of the men, I suppose, who have served in the governments of this country since 1867, of whom this might be said, that if they had devoted to their private affairs, to the business of their profession, or to their ordinary avocations of life, the time, the energy, the ability which they have devoted to public affairs, they would in no case find themselves in their old age left without any provision for their declining years. A man who devotes his best years, his energies and his abilities to the service of the country, should not find himself indigent and needy in the evening of his life. For these reasons I support the proposal of the administration.

Mr. W. F. MACLEAN. Will the Minister of Finance please say how many members of former cabinets are not included in this proposal ?

Mr. FIELDING. I cannot say. I have had a list made up of all the gentlemen who fall within the provisions of the resolution, but I have not had made a list of those whose term of service has been too short to be included.

1. That it is expedient to provide that every member of the Privy Council of Canada who has served as a cabinet minister and head of a department for the full period of five consecutive years, shall upon his retirement from the cabinet, be entitled to receive, out of the Consolidated Revenue Fund of Canada, an annuity equal to one-half of the salary attached to his office or position at the time of his retirement.

2. If any person receiving an annuity hereunder becomes entitled to any salary in respect of any public office under the government of Canada, or to the additional sessional allowance provided for the leader of the opposition in the House of Commons, such salary or allowance shall be reduced by the amount of such annuity.

Mr. FITZPATRICK moved to amend the resolution so that it shall read as follows:

1. Resolved, That it is expedient to provide that every member of the Privy Council of Canada who has heretofore retired or hereafter retires from the cabinet after having served as Prime Minister or as a cabinet minister and head of a department for the full period of five consecutive years shall upon the coming into force of the Act to be based upon this resolution or upon his retirement from the cabinet as the case may be, be entitled to receive, out of the Consolidated Revenue Fund of Canada, an annuity equal to one-half of the salary attached to his office or position at the time of his retirement.

2. Resolved, That if any person receiving an annuity hereunder becomes entitled to any other annuity, pension or allowance—whether federal or provincial—under the Crown, or to any salary or allowance in respect of any position or office of emolument—whether federal or provincial—under the Crown, or to the additional sessional allowance provided for the leader of the opposition in the House of Commons, the annuity hereby provided for shall from time to time be reduced by the amount of such other annuity or such other annuity or such pension, salary or allowance.

Mr. LENNOX. I presume that the second amendment would cover the case of a cabinet minister changing places and becoming a leader of the opposition ?

Mr. FITZPATRICK. Yes, in that case he would lose his pension, or rather, the retiring allowance would not have effect.

Mr. W. F. MACLEAN. I do not know whether the Minister of Finance has taken into consideration the fact that the duration of parliament is limited to five years. There are many people, and I am one of them, who think that it is a very desirable thing that administrations should change every parliament. But taking these two things together, that parliament lasts less than five years, and that the people might desire to make a change, and a number of deserving ministers might just put in four years and nine months—and I hope that there will be frequent changes of ministers—there might be quite a number of men entitled to this recognition who, under this resolution, would be debarred. There might be a temptation on the part of governments not to make an appeal to the country when there should be one if the public interests were consulted, because a number of their members might be debarred from this pension. So I think the period of service should be reduced somewhat, when we have regard to the fact that parliament lasts but five years, and the

likelihood of an administration changing with every general election.

Mr. FIELDING. That was thought over. But on the other hand we are not desirous of broadening the term too much, only taking in those who have served for the period mentioned.

Hon. N. A. BELCOURT (Ottawa). I do not presume to add anything to what has been said, for the reason that I cannot think of anything worth saying that could be added. It has been stated this afternoon that this action in dealing with the present resolution as well as with the two resolutions with which we have already dealt is essentially the action of parliament. Treating it as such I would like to draw the attention of the ministry and of the House particularly to the fact that we have overlooked the principle officer of this House—the Speaker. I can perhaps, as ex-Speaker, with perhaps better grace than any one else and with absolute disinterestedness, because whatever measure may be adopted and whatever suggestion I may wish to offer is not going to include myself, remind the House that we ought not to overlook the principal officer of the House of Commons. The Speaker has very difficult duties to perform, he has a great many demands made upon him and he has to spend absolutely every minute of his time in the House of Commons during the session. He is confined to the House. He can hardly even take a stroll in the city because he may be called upon at any moment to perform his duties as chief commoner. I would suggest—of course, I cannot move it, because a resolution of this kind must initiate with the government—that the Speaker of this House as well as the Speaker of the Senate might very well be included in any question of pension and that a pension or an increase in his allowance might properly be provided for. I urge it on the ground that this is an omission of parliament and that parliament in dealing with these other questions should not omit to make ample provision, or some provision at all events, for the principal officer, the highest officer of the House of Commons as well as of the Senate. I do not know if at this stage the government will deem it proper to amend the resolution so as to include the speakers of both Houses, but I commend the suggestion to them and I hope it will receive consideration.

Resolution as amended reported, read the second time and agreed to.

Hon. W. S. FIELDING (Minister of Finance) moved for leave to introduce Bill (No. 203) respecting annuities for certain privy councillors.

Motion agreed to, and Bill read the first time.

JUDGES OF PROVINCIAL COURTS—SALARIES.

House in committee to consider certain proposed resolutions respecting increases to the salaries of the judges of Canada.

Mr. FITZPATRICK. The last Act under which the salaries of the judges were dealt with was 36 Victoria, chapter 31, passed 32 years ago, when the salaries of the chief justices of the King's Bench and Superior Courts of Quebec and of the Superior Courts of Ontario were fixed at $6,000, and those of the puisne judges at $5,000 a year. Since that time their duties have increased and at different intervals promises have been made that these salaries would be increased. I have before me now statements made by Sir John Macdonald in the House of Commons in 1883, by Sir John Thompson in 1892 and by Sir John Abbott in the Senate on the 24th September 1891 to the effect that this question should be immediately considered. All these years have gone by and in the interval nothing has been done, so that I feel that I am merely performing a duty to this parliament and to the country in introducing these resolutions.

Mr. STOCKTON. In the resolution with reference to the judges in the Northwest Territories we only provide for one chief justice and four puisne judges, while under the Act constituting the two new provinces we provide for eight judges.

Mr. FITZPATRICK. We will have to amend the Act generally upon that point.

Mr. STOCKTON. And then you require two chief justices ; one for each of the two new provinces.

Mr. FITZPATRICK. Quite so, I had not thought of that. We will have to provide for two chief justices.

Mr. LAKE. This only provides for five including the chief justice.

Mr. FITZPATRICK. There will have to be a new provision made for that.

Mr. W. F. MACLEAN. What does the total increase amount to in each province ?

Mr. FITZPATRICK. In the Superior Courts, $36,000 in Ontario and $54,000 in Quebec. The increase in the county court judges salaries would amount to $33,500 for Ontario.

Mr. GALLIHER. With regard to the provision for county court judges in British Columbia, I call the attention of the Minister of Justice to the fact that the present county court in Kootenay is to be divided into two on the 1st of October and then we will have the county court of West Kootenay and the county court of East Kootenay. You do not provide apparently for two judges in Kootenay.

Mr. FITZPATRICK. There is a provision in the supplementary estimates for an additional judge in Kootenay.

Mr. GALLIHER. But the salary voted is only $2,400.

Mr. FITZPATRICK. We will take care of that.

Mr. DYMENT. When the resolution refers to the salaries of county court judges the phrase is used 'district or county court'; but in the clause referring to travelling allowance the word 'district' is omitted.

Mr. FITZPATRICK. That is a mistake; I will attend to that. I beg to move to amend the last paragraph so that it shall read as follows:

That no judge hereinbefore mentioned, shall, either directly, or indirectly, as the director or manager of any corporation, company, or firm, or in any other manner whatever, for himself or others, engage in any occupation or business other than his judicial duties; but every such judge shall devote himself exclusively to such judicial duties.

Mr. W. F. MACLEAN. Practically a judge cannot be a director any longer.

Mr. FITZPATRICK. No, and he loses his circuit allowance also. Instead of getting the circuit allowance he now receives he will get $6 a day which will effect a considerable decrease in the cost of the administration of justice.

Mr. W. F. MACLEAN. I think there should be provision in this clause that will prevent judges from taking railway passes. We have declared that they should not accept directorships, and I think there ought to be a clear cut rule that they should not accept railway passes as provision is now made for their travelling expenses. They have in fact always had provision for their expenses and I think we ought to declare against their taking passes.

Mr. FITZPATRICK. I do not think the judges now accept railway passes and certainly it is not desirable that they should, that is the least we can say.

Mr. LANCASTER. Since the question is raised I am quite satisfied, speaking for myself, that it is not lawful for them to accept passes, after the Act passed in 1903. There was in that Railway Act no exception made making it permissible for railways to give passes to judges and under the operation of that discriminating section a judge has no legal right to take a pass nor a railway company to give it.

Mr. STOCKTON. Would it not be better so far as the judges in the Northwest are concerned, to say 'five judges of the said court'? It is four here. There are already five.

Mr. FIELDING. We have made provision in the supplementaries for the appointment of two additional judges in the Northwest Territories and I think their appointment is quite justified. Perhaps it would be better to enable us to keep the matter open until the new provinces should have the jurisdiction over the courts so that we would know how to deal with the judges. They would require for instance an additional justice in one of the new provinces.

Mr. STOCKTON. There are 6 there and one is the chief justice; but you only provide for four puisne judges.

Mr. FITZPATRICK. I beg pardon, you are quite right, it ought to be five instead of four.

Mr. D. D. McKENZIE. The county court judge for the county of Halifax now gets a salary of $3,000. I notice that under this alleged increase he still gets $3,000 and the same thing may be said with reference to the county court judge for district No. 7 in the district of Sydney who gets $3,000 now, but is mentioned here as receiving only $3,000. I think they should get a proportionate increase along with the other judges in the province.

Mr. FITZPATRICK. The same difficulty has occurred with respect to the county of Halifax, Charlottetown, Prince Edward Island, the city of St. John, county court district No. 7, of the province of Nova Scotia, that is Sydney; and also with respect to the county of York, Ontario. The matter has all been considered and will probably have to be considered again. I shall discuss the matter with my colleagues. An omission has been made partly by mistake and partly by design and I shall have to consider the matter with my colleagues and if necessary bring down another resolution.

Mr. R. L. BORDEN. It is undoubtedly true that these two judges transact a great deal more business than other county court judges in Nova Scotia, which is the only province of which I can speak with knowledge. Up to the present the salary of the county court judge of Halifax and the county court judge for district No. 7 has been fixed at $600 in excess of that which the other county court judges throughout the province receive. I have already mentioned to the Minister of Justice after looking over these resolutions that it seems to me that these judges should receive something in addition to what the other county court judges throughout the province are entitled to receive. The class of business which comes before them is pretty important and their judicial duties are undoubtedly very much greater.

Mr. W. F. MACLEAN. The same thing applies to the senior judge in the county of York. As a matter of fact, he hears more

cases, and cases of greater value in money, than any Superior Court judge in this country. Heretofore he has received a small additional salary, which ought to be continued. To-day he is only to have $2,900 when the other county judges get $3,000.

Mr. FITZPATRICK. The county court judge of York receives, by way of arbitration fees, &c., a very much larger sum than the other judges.

Mr. FOSTER. Take the clause :

That no judge hereinabove mentioned shall, either directly, or indirectly, as director or manager of any public corporation or firm, or in any other manner whatever, engage in any occupation or business other than his judicial duties; but every such judge shall devote himself exclusively to such judicial duties.

Will that prevent judges from going on commissions ? We know that a good deal of discussion has arisen of late about judges being appointed to commissions at various times. Sometimes these are high matters of interest in which it might be desirable to appoint judges ; but in other cases they are minor matters, and the judges are left open to a great deal of criticism and cross currents of opinion, which do not seem to add very much to the dignity of the bench or to the respect in which judges should be held throughout the country. In fact, when you take a judge from the bench and make him commissioner in a matter involving other than legal points, you rather take his robe of dignity from him. He becomes then more like an ordinary individual and becomes subject to criticism to which a judge ought not to be subject. He comes down, so to speak, into the general arena, and stands to get a good deal of dust upon his clothes. I would like to know how far this goes towards preventing judges taking up commissions of a smaller kind and which are outside their judicial functions, or international affairs. I quite agree that on an international commission it may be quite necessary to have judges ; but the Minister of Justice will understand to what I allude when I say that there are commissions and employments which, when participated in by judges, detract from the general respect in which the bench ought to be held.

Mr. FITZPATRICK. This amendment to the Act respecting judges will operate as a clear notice that judges are not to be employed in connection with commissions, except where it is important in the public interest they should be so employed. I think the less a judge has to do with matters which are not clearly within the scope of his judicial duties, the better for himself and the dignity of the bench. Of that I am absolutely convinced. I would even go so far as to say that I entertain grave doubts as to the constitutionality of such appointments. That question arose in parliament when it was decided by the British parliament to refer matters arising out of contested elections to the courts. When the courts were first charged with the duties of investigating such matters, Chief Justice Cockburn wrote a strong letter of protest from the constitutional standpoint. That protest was of no avail, but nevertheless it showed that there was considerable doubt as to the right of the judges to sit in such matters. There are cases, however, where it is in the public interest that we should utilize the services of the judges outside the bench, but only in matters of urgent public necessity.

Mr. R. L. BORDEN. I think that the judiciary throughout the country are in very many instances underpaid. There are, of course, many judges who, having regard to the business they transact and the time they devote to their judicial duties, are perhaps not underpaid at present. It is a matter of very great difficulty to discriminate in any way. Some attempt has been made in these resolutions to deal with these conditions. The main difficulty arises from the circumstances that the judical bench of the country is at present overmanned. There is no doubt about that. That is the condition in every province of Canada. There are too many judges, and they are underpaid. I have never entered into any computation, but I am inclined to think that the amount at present paid out in judicial salaries in Canada would be almost sufficient to afford an adequate salary for the necessary number of judges if we had the control over the number who should be appointed. Unfortunately, it is the provinces which have the fixing of the number of judges, and therefore any administration which proposes to deal with the question finds itself in this position. It must either sit as a court of appeal on every occasion when a provincial legislature institutes a new court or increases the number of judges, or it must assume that that legislature is the best judge of the matter assigned to it by the constitution and make provision accordingly, although, in the opinion of this parliament, there may be absolutely no necessity for the increase. That is the condition we are faced with. So far as the principle of the increase is concerned, I have already said many times since I have been in parliament that I am in favour of increasing the judicial salaries. In a good many instances those salaries are absolutely insufficient to maintain a judge with decency in that position which is his by reason of the judicial position he occupies. These judges are perhaps, of all public officers, the most important. To them is entrusted control of the lives, properties and liberties of the people. It is desirable that they should be given adequate salary for many reasons. Two of the most important are, in the first place, that a judge should be enabled to live in comfort and have the respect of his neighbours by maintaining the

position in life which he has been called. In the next place, it is absolutely important that the men to whom these important duties are entrusted should be absolutely independent by reason of their judicial salaries and free from any suspicion of temptation in the performance of their duties. We know that enormous interests must be dealt with by gentlemen on the judicial bench.

In some of our large cities, the duties of these judges are extremely onerous; the judges are most actively engaged in work from one end of the year to the other with the exception of a slight holiday. The judical salaries of this country are very small compared with those of the mother country, of course, and also small as compared with those of the commonwealth of Australia. I heartily concur in the proposed increase. I think we cannot have too great regard for the character of the men who are appointed to the judicial bench. We want the judges of this country to be adequately provided for, to be held in high respect by the people not only for their honesty and integrity of purpose, but for their capacity and learning, and for their qualifications in every respect. We cannot expect that that will be brought about unless the salaries are made fairly adequate. We want not only the people, but especially the bar in every province, to have pride in the judges of the provinces, and in the judges of the Dominion courts. We want to bring about such a condition as will induce leading men at the bar to make sacrifices for the purpose of accepting an honourable appointment of that kind. Perhaps we have not in every province of Canada, exactly the spirit among members of the bar that we find in some other countries. At present I cannot recall that any leader of the bar in the United States of America is believed to have refused an appointment to the Supreme Court of the United States. Perhaps my hon. friend the Minister of Justice (Mr. Fitzpatrick) can recall such a case; I cannot.

Mr. FITZPATRICK. I do not know of any.

Mr. R. L. BORDEN. It is known that the salary of a judge upon the bench of the Supreme Court of the United States is, perperhaps, not more than one-tenth or even one-twentieth of the income that has been made by the leading members of the bar of the United States. There is a duty upon the government and the parliament of this country to make these salaries reasonably adequate for the judges and for the maintenance of the dignity and independence of their position. There is a duty upon the people of this country to hold in the highest possible respect the judges of the land. But there is a duty also upon the bar of every province of Canada to make sacrifices, where necessary, in order that the standard of our judicial life may be maintained at the highest. Let us not forget that when the United States of America as a nation, was very little older than Canada is to-day, the Supreme Court of the United States attained a standard of ability and excellence, which, perhaps, has not been equalled in that court, even up to the present time. Although we are a young country there is no reason why the judicial bench of this Dominion, as a whole and in each province, should not be maintained at a high standard. And I believe that the government, in taking the action embodied in this resolution is taking a step which is absolutely in the best interest of the people of this country.

Mr. FITZPATRICK. We are living in a very selfish age. My hon. friend the leader of the opposition (Mr. R. L. Borden) knows as well as I do that leaders of the bar are in receipt of incomes, in some cases, five times as great as those of twenty years ago. It is nothing at all unusual for a leading member of the bar in Quebec, in Ontario, or elsewhere, to be in receipt of an income of from $25,000 to $30,000. There are men who ten years ago, to my knowledge, were in receipt of more than $20,000, and there are men who, within the last six years have received $30,000 at the bar. It is hard to expect men in receipt of these magnificent incomes to sacrifice the interest of themselves and their families to accept the smaller income attached to a position on the bench. The increase of salaries of the judges has been recommended, among others, by the Bankers' Association, who have memorialized the government on this subject. Referring to what my hon. friend (Mr. R. L. Borden) has said, I would point out that the judiciary of Canada are the worst paid of any within the limits of the British empire. I need hardly speak of England, where the judges of the higher courts receive salaries of from $25,000 to $50,000 a year. The ordinary judge of the high court in England has a salary of £5,000, while the chancellor has £10,000. In Victoria, with a population of a little over 1,000,000, the salary of the chief justice of the high court is $17,500, while the ordinary judges of that court receive $15,000 a year. In New South Wales, also with a population of a little over 1,000,000, the chief justice is paid $17,500 a year, and the puisne judges $13,000. In New Zealand and Cape Colony the judges receive salaries of from $8,000 to $12,000 a year. Even in the small Crown colonies, such as Jamaica, Barbadoes, Trinidad, Mauritius and Hong Kong, with populations hardly larger than those of some of our great cities, the chief justices receive salaries of from $5,000 to $12,000, and the puisne judges receive salaries of from $6,000 to $8,500 a year. The salaries that are proposed in this resolution are about adequate compensation, not to replace what the men who would naturally be chosen as

judges could make in their profession at the bar, but compensation to enable them to live. It has been my own personal experience to have several gentlemen refuse to accept positions on the bench.

Hon. GEORGE E. FOSTER. The Prime Minister (Sir Wilfrid Laurier) knows that for twenty-five years, the matter of judges' salaries has been a vexed question in this House. My position, from the very first time I had an opportunity to study the question was that, while I believed that many of the judges were under-paid, I believed there were too many judges, and that the distribution of the work of the judges was faulty. I tried to get a re-arrangement of the work of the judges, because in almost every province there were judges who had very little to do, while others had quite too much to do, though both classes were paid about the same relative salaries. Well, the argument that always met me was the fact that the provincial governments provide for the judges, that is as to the districts and number, and that the sole duty left to the Dominion government is to vote the salaries. Of course, as a heroic remedy, the Dominion government could refuse to vote a salary, and then I suppose the judgeship would lapse; that, however, is a line of action which no Dominion government would like to take. But I am quite convinced that the time is coming if it has not now arrived, when the opinion of the country will be heard upon that point.

Speaking of the provinces that I know, I am quite prepared to say that there are a good many more judges than are necessary to overtake the work provided the work were properly distributed. That being the case, it leads to two things which tend to deteriorate the bench. If you give a man who has been a leading lawyer a position upon the bench, detaching him from the actual work of the law courts, and placing him where he has simply to carry on judicial functions as a judge, and give him less than he ought to do, he loses his brightness of mind, and he becomes every day a less efficient judge than he otherwise would be. There are judges to-day in Canada who are dying of atrophy simply because they have not business enough to keep their ideas bright. I have had judges tell me this in private conversation. Now that is bad for the bench itself. But another thing takes place. When people see judges living around doing nothing, it does not tend to heighten their respect for judges as a rule, and it does tend to raise the feeling in the country that some other method than that of raising all the salaries should be adopted in order to bring this thing about even. I do not believe any intelligent man has any prejudice against the judges who do the work and who are qualified to do the work, being well paid, that is, as well paid as they will be under this distribution to-day. But their objection arises from the fact that we have too many of them, and they see and come in daily contact with men who, as judges, have not enough to keep them properly employed. Now is there no way in which this can be remedied? It always has seemed to me that it could be remedied if a real, earnest attempt were made. There is no argument why a province should retain ten judges when six are sufficient to do its work, and when the one thing that prevents that is the fact that some one who comes from the county where the judgeship exists that might otherwise be dropped, speaks for his own county or for his own friend, or for the judge in his own district. In some of the provincial governments there may be this idea: Well, this comes from the general treasury, and it is part of the money that comes to the province and we might just as well have it as not. Of course, neither of these reasons are good reasons, and it is a question in my mind whether we should not have a commission of trained men appointed, whether an effort should not be made by the general government to have a conference or consultation with all the provincial governments as to this very matter, and arrange some plan by which, if not all, at once, at least gradually this thing could be worked out. Suppose that they did not want, and that the general government did not want, to retire any judges who had already been appointed, would it not be possible to arrange what might be called a theoretical organization, and then as the judges fall out —because they are human, and die as the rest of us do—that then no appointment should be made until the theoretical organization were filled, and that it should not be more than filled. No one is disturbed in the salary he is already getting, and no judicial function that ought to be performed is not performed, because others take over the work, and there is no wrench at all except that a province does not get all the money that it would out of the Dominion treasury by judgeships. That can be easily settled. I see there is to be a conference with respect to better terms between the provincial premiers and the government of this country, and whenever the time comes that you are talking about that, surely any well thinking and provident provincial government would rather have the money which would otherwise be wasted on judicial appointments, given to them in some other form, or for some other service, that is to say, it could be made a make weight in the redistribution and rearrangement which from time to time takes place between the Dominion and the provinces. Now if that practice were applied in the course of ten or fifteen years you would get down to what would be the normal number of judges that are necessary; and this disposition, which is strong amongst the people now—and you will hear more of it after this goes to the country—this dispo-

sition which is strong now amongst the people that too many judges are employed, more than are necessary, will pass away; and by the weeding out of those that are unnecessary, the salaries going on for those that are necessary, with the rise in salary which you have given to-day, you equalize the duties all round, because the rule is only applied to those who are actually doing the full limit of a judge's work.

Now my hon. friend the leader of the opposition mentioned three or four good reasons why the bench should be kept and might be kept high. May I venture a single suggestion—I do it without criticism—that is, that you may vote the salary necessary for the appointment of another judge, and you may hedge around the judgeship by these different conditions which will tend to preserve its purity and its ability. But there is another duty to be performed, and that is that every goevernment, in the appointment of its judges, should first observe the primary consideration of the qualification of the man who fills the position. You may have high salaries and all those other things, but a government may, by injudicious appointments to the bench, degrade the bench from that high position in the minds of the people that it otherwise would have and that it should have. Now I am not making a criticism; I know what the strength of party pressure is; I know how much a government is importuned to make places for those who have followed it and fought for it; but if there is one place where that feeling ought to be put aside it is in appointments to the bench. I cannot think that any party in this country has such a poverty of excellent material amongst its legal adherents, as to preclude a government from exercising all proper patronage, and at the same time putting upon the bench only those who will carry the undoubted approval of the country, and gain the undoubted respect of the country.

Mr. STOCKTON. To carry out the proposal of my hon. friend from North Toronto (Mr. Foster) would require legislation on the part of the different provincial legislatures. We all know that the organization and constitution of the courts are with the different provincial legislatures, and I think that if intimation were given by the Department of Justice, for instance, to the provincial authorities what the feeling of this House is with respect to the judiciary, some benefit might be accomplished in that direction.

I quite agree with what has been stated by my hon. friend the leader of the opposition, my hon. friend the Minister of Justice and also by my hon. friend from North Toronto as to the necessity of keeping up the high standard of the judiciary of the country. The very moment the people of the country lose confidence in the judiciary a very bad condition of affairs occurs. It would be a very sorry day for Canada when we lost confidence in the judiciary of our country. I also quite agree with the observation of the Minister of Justice that comparatively we have been paying smaller salaries to our judges in Canada than they have been in any other dependencies in the empire, and it is doubtful whether we are paying as high salaries now under these increases which have been made as they are paying in some other colonies in the empire. I have been for years in favour of increasing the salaries of our judges. In New Brunswick we can get along with a less number of judges than we have—I do not mean Supreme Court judges—but I believe we could overtake the legal business of the country in the province of New Brunswick with two or three less county judges than we have at the present time, but I recognize the fact that this government is powerless in that respect. The only remedy that can be applied is to have an understanding with the legislature of New Brunswick so that when vacancies occur new districts will come into operation and by that means we will reduce the number to what will be a proper number of judges to carry out the judical business of the country. I am in favour of the proposal of the government in these resolutions for increasing the judges' salaries. I think it is a move in the right direction and I also believe in the proposal of the Minister of Justice in these resolutions to keep the judges strictly as far as possible to their judicial duties. By doing that I believe we will preserve that confidence and respect for the judiciary which we cannot have if judges are permitted to engage in all sorts of commercial business.

Mr. MACDONALD. Mr. Chairman, I am not prepared to accept as absolutely accurate the statement that we have too many judges in this country. It may be that occasionally a judge feels in a particular year that the duties of his office have not been very onerous and under those circumstances a remark might be made such as that which has been made by my hon. friend for North Toronto (Mr. Foster); but we all know that in legal business there are years in which for some strange cause in a particular province business may not be as active as in other years. In that particular year in which litigation is not active naturally the judges will have less to do. But, there is no general inference to be drawn from a particular or accidental occurrence of that kind in one year or in one province, and I submit to the committee we should not, in dealing with this question, assume that in this country we have too many judges. If we are prepared to assume that Canada has reached the limit of its development, that we are not going on advancing in population and in business, that we are going to stand still, then of course, I suppose the

judges we have will be ample now and for ten years after this, but I submit that as population increases and as business becomes more complicated you require an increase in the judiciary just the same as you require an increase in other departments of business life. The judicial machinery of the country is nothing more nor less than an implement of the business life of the country. Therefore, having considered this question, I think it is altogether assuming too much to say that the matter is in such a position that we want to have a conference with the provinces on this subject. As has been said by the hon. gentleman who has spoken last (Mr. Stockton) the matter of the constitution of the courts rests with the provincial governments and I think they are the best judges of the necessity of the number of judges required. They have to deal with the organization of courts and they are in some degree nearer to the people in so far as the working out of the judicial system is concerned, than we who are in this parliament are, and situated as they are in that way their judgment upon this question is at least as good as the judgment of this House.

In regard to the question of the increased salaries generally, I submit that the proposition is one which must commend itself to every one who is familiar with the conditions and I think that every one must recognize that it is eminently proper, and I believe that the common sense business interests of this country will stand by the government in making this proposition which has been concurred in by both sides of the House. I wish to say a word or two in reference to the last clause of this resolution which provides that every judge shall devote himself exclusively to his judicial duties. I do not apprehend from that provision, which, I presume, comes from the learned Minister of Justice, that there is any prohibition as to what particular duties may be performed outside of the judicial functions. I would like to say that I agree with much that has been said as to a judge confining himself purely to his judicial functions and to the performance of such duties as come within the line of judicial acts. But there are cases that not only the government of Canada as a whole but the governments of the different provinces have to deal with, problems which should be passed on only by a judicial authority so that the public may have the advantage of a finding which is recognized as absolutely impartial. Is the performance of such functions, though they may be outside the duties which arise purely before the courts, permitted under this provision? I submit that judges should be permitted to deal with those questions which come within the judicial sphere, and that it is in the interest of justice in this country that they shall be allowed to give their attention to them. I do not know whether the language is sufficiently definite and clear to mark the line which I think should be defined and which I think should be recognized by legislation in the future.

Mr. LANCASTER. What are the particular duties which the hon. member (Mr. Macdonald) has in mind that judges should be allowed to perform other than judicial duties? What is the trouble with the hon. gentleman? What is it that he wants to remedy? What are the particular duties that he thinks a judge ought to be allowed to perform apart from judicial duties?

Mr. MACDONALD. I can give the hon. gentleman (Mr. Lancaster) an instance which I have in my mind. I refer to questions that may arise such as disputes between the provinces and the Dominion. I have in my mind arbitrations which have been held, which judges have sat upon and upon which the presence of judges has been in the interest of the whole country. I have in my mind in my own province a case in which there is to be a reference of a dispute between certain counties of the province and the provincial government. I think it would be in the best interest of the country if judges were to be permitted to sit upon arbitrations of that kind.

Mr. LANCASTER. Are the matters which the hon. gentleman has mentioned, not of sufficient importance to be made the subjects of special legislation in this House. If it were thought wise to have a judge sit upon an arbitration between a province and the Dominion, would it not be of sufficient importance to have a special enactment passed to cover it? I would prefer to have this distinctly and clearly stated so as to make sure that judges would confine themselves to their judicial duties. It would be better for the country if they did so.

Sir WILFRID LAURIER. This is a very important subject. For my part I agree altogether with the motion that judges should confine themselves to their judicial duties, but is it the intention of parliament—I never understood so—to prevent judges from going into cases which are of a semi-judicial character? For instance my hon. friend (Mr. Macdonald) has referred to arbitrations between the Dominion and the provinces. The judges are specially well qualified to act in arbitrations between the Dominion and the provinces or between the provinces themselves, and I think no one would object to that. The judges have also been called upon to act as arbitrators between workmen and their employers on the occasions of strikes, and as that is in effect a judicial matter to determine, I do not think judges should be prevented from so acting. But what parliament intends and what we are all agreed to is that judges should not be allowed to participate in any

kind of business which is of a commercial character; they should not be directors of insurance companies or banks or such. But as regards anything which partakes of a judicial character, I do not think any one has the intention of preventing the judges from acting.

Mr. LENNOX. I am not disposed to dispute the contention of the Prime Minister, that judges should be allowed to act as arbitrators in certain large matters affecting the government. As to salaries, I am in favour of paying all competent men who serve the country a reasonable remuneration for their services. But abuses have arisen in the past from judges devoting a large portion of their time to which I would call private arbitrations, and engaging in a kind of professional arbitrator business, which detracts from their usefulness in their judicial capacity. If this resolution does not cover that point we should amend it so that it shall. The provincial governments and the Dominion government may be at liberty to engage the services of some of our eminent judges, but we should guard against judges engaging in private arbitrations. There is another point which has not been referred to, and that is that when we pay a judge a sufficient salary he ought to understand that it is for every day in the year excluding Sundays, and that the country is entitled to his undivided allegiance and services as a judge. There should be no temptation for judges to seek for positions as arbitrators from any government. If a distinguished judge is appointed arbitrator, I do not say that during the term of that service he should be confined exactly to the remuneration he would receive for the same length of time as a judge, but I do say that he should not receive his judicial salary and also a special remuneration for the time during which he acts as arbitrator. I believe I am right in directing the attention of the government to this point, because now that we are making a new departure, we should advance our suggestions for improvement in connection with the judiciary, and direct public attention to them. Notwithstanding what the hon. gentleman from Pictou (Mr. Macdonald) says I am perfectly clear that we have too many judges. I speak of the judges at home—I do not mean my own county though I would have no hesitation in discussing that if it became necessary—and I am quite convinced that we have too many county judges in Ontario. The hon. gentleman (Mr. Macdonald) says it would be a reflection on the progress of the country if such were the case. That is not so. The multiplication of litigation is not any indication of the progress of the country, but quite the contrary. The fact is that litigation decreases in proportion as the country—I was going to say becomes civilized—but I had better say in proportion as the country becomes settled. For example, in the county of Simcoe when the country was newly settled there were boundary disputes, there were disputes as to lumbering operations, there were disputes as to milling transactions, and disputes in reference to other matters. But as the country becomes older, litigation decreased, and in the county of Simcoe to-day, I believe there is 60 per cent less litigation than there was twenty-five years ago; I am pretty sure that the same would apply to all the older counties of Canada. Thirty years ago or so we adopted a system of appointing junior county court judges, at the instance of the province of Ontario no doubt, but I venture to say that in a large percentage of the counties to-day the junior judge is not necessary. We need not interfere with the existing state of things, but when judges from time to time retire there is no necessity for filling their places with new men. Many of the judges reason this way: I would be quite willing to discharge all the duties, but I want adequate remuneration. If you give to a single judge a 50 per cent addition to his salary he would be quite willing to discharge all the duties, and instead of becoming rusty by reason of not having sufficient work he would be kept up to date all the time. We should set ourselves seriously to consider the adoption of a system by which we may have fewer judges. Is there any difficulty in the way? It is said that there is difficulty, because the province arranges the constitution of the courts and the number of the judges. But, we appoint the judges and in the very initial stage we have the matter in our own hands and we should arrange with the provinces that we would not continue to renew appointments in certain localities where we think the new appointment is not necessary. You can also very easily get at the matter by appropriating a lump sum for the judiciary of each province. If instead of voting a certain sum for each judge in each court we appropriated a certain sum to each and let them understand we would appropriate no more for the judiciary in that province, we would get at the basis of the transaction right away, and be able to apply the remedy we say we intend to apply. In reference to the appointment of local men to judicial positions in the counties in which they have practised, although the rule against this was made years ago it has not been so tenaciously adhered to as could be desired. Speaking as a lawyer from a country locality, from a county town and having knowledge of the neighbouring counties, I would say that there is no more serious abuse of judicial appointments than the fact that frequently we are appointing gentlemen to preside as judges in the county where they have prac-

tised, and their relations and old associates and clients frequently coming before them for judical decision in matters affecting them.

Mr. W. F. MACLEAN. In my opinion we have too many county court judges, and I agree with the member for North Toronto (Mr. Foster) and the member for Simcoe (Mr. Lennox). If this is the case, and we are dealing with judges, I say that it is incumbent on parliament at this time to pass a resolution to that effect in conjunction with this increase in the salaries of judges. It is also open to the government, in view of statements made here to-day, to begin negotiations with the provinces looking to a readjustment of this matter, and probably that conference will result in something like the suggestion made by the member for Simcoe (Mr. Lennox), namely, that the provinces would accept a lump sum and fix the number of judges themselves. In some way there ought to be a settlement of this question, because while I am in favour of paying judges better, every place I go I hear the farmers complaining of paying judges salaries to men who do not earn them, and the farmers of Ontario to-day know there are men receiving salaries as judges in county courts who do not perform the work and have not work to do which would entitle them to the salaries which they draw. As to the suggestion made by the member for Pictou (Mr. E. M. Macdonald) that the population is increasing, that is true, but it is increasing in the west, and a way might be found as we are increasing the number of judges in the west to reduce the number in the older provinces. At all events, there is a solution to the question, and the duty devolves on the government of finding that solution. What I would like Mr. Whitney to do in Ontario—and I hope my words will reach him—is that no matter what they do in the other provinces, at a very early date he should revise the constitution of the county court system of Ontario and reduce by one-half the number of judges we have there to-day. If he did that he would at least cure a standing grievance in this parliament with respect to Ontario, and similar action might be taken by the premiers of the other provinces. We could get along in Ontario with one-half the county court judges we have, and if that is the case there is no reason why we should carry them all along. We should devise some system, not of dismissing them, but of retiring them and not appointing others when the vacancies occur. The member for North Toronto (Mr. Foster) has said that the pressure for keeping these men in these offices comes from the provinces and the districts. But it is fair to observe that a large amount of the pressure comes from supporters of the government in this House, who are willing to retire into county court judgeships, and the way for the government in a roundabout way to secure some reform is to refuse to appoint their supporters in this House to county court positions.

Sir WILFRID LAURIER. This is undoubtedly one of the most vexed and most complicated questions with which the parliament of Canada is called upon to deal. The reason has been stated more than once in the course of this debate; it is because there is a divided legislative authority over this matter. The constitution of the court belongs to the provinces, but the appointment of judges belongs to the federal parliament. I agree with the member for Simcoe (Mr. Lennox) that there is less litigation in some portions of the country than there was, but at the same time there is more in several others parts. There is less litigation in the rural districts but there is far more in the cities. We have very few cases to-day of the nature mentioned by my hon. friend, about boundaries or about operations in lumber, but in the cities there is a new class of litigation which has arisen from new inventions. In Montreal and Toronto, I dare say, a very large proportion of the cases are due to electricity and to the applications of electricity to modern life, and the tendency has been to transfer legal business, judicial business, from the rural parts of the community to the centres, to the large cities. It is the same in trade, in business, in law, in everything; business is leaving the rural parts of the country to go to the city, and the real trouble arises, not so much I think from the fact that the bench is overmanned, but from the defective distribution of work. All the judges in cities to-day, I speak with knowledge now of the two great provinces of Ontario and Quebec—are worked and overworked. Judges residing in rural parts have far less to do and some have very little to do, but we are inheriting a condition of things created many years ago. This is a country of vast distances, and courts were constituted 60 or 70 years ago. At that time they had to plant a law court in every settlement; then you had to have a judge and sometimes two or more. At that time this multiplication of courts was necessary, the difficulties of locomotion were very great and it would have been impossible to get the litigants to go a great distance to have justice administered in the cities. The country, therefore, was pretty thoroughly covered with law courts, but since the modern era of railways, locomotion is so easy that there is not the same necessity of having local law courts as there was 60 or 70 years ago. Speaking for my own province, it would not be a disadvantage, and I believe in Ontario there would be no disadvantage if we were to remove one-half the law courts which are scattered over the province, but the diffi-

culty is to do that. In my own province attorney general after attorney general has attempted it, but all have failed.

Mr. FOSTER. There is a good chance for you to distinguish yourself.

Sir WILFRID LAURIER. Yes, I have had some chances to distinguish myself in this very session, but my efforts were not appreciated by my hon. friend; but there may be other opportunities before the close of the session. If there is to be, as has been suggested by my hon. friend, a conference between the Dominion and the provincial governments, I agree altogether that that is one of the subjects that we ought to try to settle.

Mr. FOSTER. There is another thing that strikes me. There is a difference of opinion between the Prime Minister and others as to the amount of legal processes, whether they are diminishing or not. Is there any estimate with regard to this in the Justice Department? Has the department any system of returns by which it knows just how many cases are tried by each judge in every judicial district, and if not would it not be an excellent thing to have such a return. It would be very useful in a great many different ways so that we might here know just the number of cases that were tried by each judge in each judicial district.

Mr. FITZPATRICK. I do not know whether there are returns kept in Ontario, but I have felt it to be my duty to have these statistics before me in reference to my own province, and I have these figures here for each district, and the increase that has taken place in the number of cases. I can only give that for my own province.

Mr. R. L. BORDEN. How are these statistics obtained?

Mr. FITZPATRICK. The prothonotary or clerk of the court, who is an official of the local government, makes returns every six months to the attorney general. In that return you will find the number of writs issued and returned, the number of cases decided by default, the number of judgments rendered in contested cases, the number of cases inscribed in review, the number of judgments in review. There is a return of that kind for each district.

Mr. FOSTER. Can we call for these?

Mr. FITZPATRICK. I do not know whether we are entitled to these returns, but I have applied for them and have got them. The statute requires that such return shall be published every year. Any man, therefore, may take up those judicial statistics and see exactly the amount of work done, and there is a table published showing the work for each period of twenty years.

Mr. LANCASTER. It does not follow that such a return would be a correct indication of the work done in Ontario, because there are a great many cases that come before the county court judges of that province which are not included in any of the items of the classification the hon. minister has just given us. For instance, our municipal system throws a lot of work on the county court judges. They have to act as judges in various municipal disputes, hear appeals from assessments and as revisers in connection with voters' lists and as selectors of jurors. Then they try a great many criminal cases. They also relieve the high court judges of a lot of work. There are two ways in which they are worked a great deal harder than they used to be. In the civil courts they clear away a lot of work that used to be done in Toronto by the masters and judges in chambers; they get the records ready for trials.

Mr. FITZPATRICK. Do they decide the value of pleadings?

Mr. LANCASTER. Yes, they strike out pleadings, order re-examinations for discovery and particulars, decide whether an affidavit is sufficient or not, and in a great many ways lessen the work of the High Courts. By their careful, painstaking decisions on interlocutory proceedings the county court judges have brought about the settlements of high court suits which otheriwse would have been tried at the assizes. By careful work of that kind, performed by county court judges as local judges of the high courts, they relieve the high courts of many cases which otherwise would have to be decided at the assizes or at non-jury sittings which take the place of Chancery Courts. They also try under our criminal code many people charged with criminal offences which otherwise would go to the assizes, and as confidence in county courts increases there is more waiving of trials by jury and more men choosing to be tried by the county courts without juries. No record of the work done in that line is kept in the statistics mentioned by the hon. minister. Speaking generally, a county court judge in Ontario does to-day twice as much work as he used to do.

Mr. NORTHRUP. There is one suggestion I would make in connection with the procedure in Ontario which might meet a couple of the evils at present existing. On the one hand, we have the complaint that the judges are not sufficiently paid and on the other that they have not enough to do. In the one way you might meet both difficulties. We have masters in chancery in every county in Ontario. Outside the large cities we have in each county a county judge and a master in chancery. The duties of the latter are to a great extent judicial. There is no reason why a county court judge could not discharge them. That could only be done as the result of negotiations between the Dominion and the province, but

no doubt the provincial authorities would be glad to save the expense. Provision should be made that from time to time the same individual should be appointed county court judge and master in chancery. There is not sufficient work in the two offices to overwork the one official, and the county court judge would then have sufficient work to do to prevent him from getting rusty, and at the same time there would be a saving affected and the bench would be strengthened.

Mr. BELCOURT. That could be done by the provincial authorities who fix the duties of the county court judge and the master in chancery. What is to prevent their declaring that the duties of both shall be performed by the county court judge?

Mr. LANCASTER. That has been done in several cases. In Welland and Lincoln it is the county court judge who is the master in chancery.

Mr. LENNOX. The master in chancery is paid in fees.

Mr. PRINGLE. I am in favour of the resolution before the House for increasing the salaries of the judges, especially of the county court judges. I have felt for some years that our county court judges have not been properly remunerated. There is, however a great deal of force in what has been said as to the number of our county court judges, especially in the province of Ontario. That matter was dealt with by the Ontario Liberal government in 1896. They evidently considered that we then had too many county court judges and passed legislation—chap. 19 of the statutes of 1896, amending the County Courts Act—in which it was enacted that:

> In the case of any county or union of counties having a population not exceeding 80,000 for which there are at the time of the passing of this Act two judges and hereafter one of them dies, resigns his office or is removed therefrom, there shall thereafter be but one judge of the said county or union of counties, and there shall be no appointment of another judge in the place of the judge so dying.

At that time the appointment rested with the Dominion government. Shortly after the present government came into power, and for some reasons best known to the Ontario legislature, they eliminated that clause so that to-day we have just the same number of county court judges as we formerly had. There is no question that in certain sections of Ontario there is not enough work for two judges, and yet the matter is a very difficult one to deal with for this reason. In a large county or union of counties, where there is only one county court judge. He necessarily has to go on circuit attending to division courts, so that it is impossible there should be one judge always in a county town to deal with motions and injunctions and so on which necessarily have to be made very hurriedly. So far as remuneration is concerned. I think that the salary proposed in this resolution is a very moderate one. The hon. member for East Hastings (Mr. Northrup) has mentioned the fact that many of the county court judges are appointed local masters in chancery. The way things are now arranged is often very hard on the junior county court judge. The senior county court judge will be local master in chancery and judge of the surrogate court, and in this way his emoluments are very much increased. In the union of counties in which I reside, our senior judge, a very capable judge and one very highly thought of, is local master and also surrogate judge, so that his fees are increased probably $1,000 or $1,500 a year, while the junior judge who has, possibly, the hardest part of the work, having to go through the county and attend all the division courts has nothing outside of his regular salary. But that is a matter that will have to be arranged, I imagine, by the provincial authority so that the senior and junior judges will divide these offices and divide the emoluments.

Resolution reported, read the second time and agreed to.

Hon. CHARLES FITZPATRICK (Minister of Justice) moved for leave to introduce Bill (No. 204) respecting the judges of the provincial courts.

Motion agreed to, and Bill read the first time.

SUPREME AND EXCHEQUER COURTS.

House in committee to consider certain proposed resolutions respecting salaries of the judges of the Supreme Court and of the judge of the Exchequer Court.

Resolutions reported, read the second time and agreed to.

Hon. CHARLES FITZPATRICK (Minister of Justice) moved for leave to introduce Bill (No. 205) to amend the Supreme and Exchequer Court's Act.

Motion agreed to, and Bill read the first time.

At six o'clock, the House took recess.

After Recess.

House resumed at eight o'clock.

CONSIDERED IN COMMITTEE.

THIRD READING.

Bill (No. 198) for the relief of Agnes Hedevig Helga Salusbury Trelwney—Mr. Grant.

CUSTOMS TARIFF ACT—AMENDMENT.

Bill (No. 190) to amend the customs tariff—Mr. Fielding—read the second time, and House went into committee thereon.

Mr. FIELDING. This Bill is in accordance with the resolutions which have already been dealt with in committee. I have a couple of changes to make to which I wish to call the attention of the committee. In section 3 of the Bill there is some amendment to be made. The word 'dry,' which is put there is to be omitted from the Act. I wish to strike this word out so that the words which we will omit from the tariff as it now stands are 'white and.' This section has relation to the duty on white lead. This is necessary to give effect to the changes as explained in the committee.

Mr. HENDERSON. What is the number of the original item in the tariff?

Mr. FIELDING. Item 58. At the conclusion of the Bill, I propose to put in a proviso in relation to this item. We are making a considerable change. We are increasing the duty on dry white lead from 5 per cent to 30 per cent and it has been represented to us that many dealers have imported or ordered quantities of this white lead and made contract for the sale of them and that therefore the increase in the rate of duty would be most unjust to them, inasmuch as they cannot alter the price but must fulfil their contracts. I shall propose at the conclusion an amendment providing for the case of importations made under such circumstances. Where it is shown to the satisfaction of the Minister of Customs that these importations have been actually sold under contract we propose to admit them at the old rate of duty.

Mr. FOSTER. To what date?

Mr. FIELDING. Not to exceed the first day of August. This provision will lapse on the first of August, so as to permit importations which are now on their way to come in.

Mr. FOSTER. The first is not very far distant.

Mr. FIELDING. I know it is not, but I believe it will be sufficient. However, I have no objection to postponing the date if it is thought to be expedient, so long as the purpose is kept in view. This is to admit only goods on their way and only in cases where they have been actually sold. With these exceptions the resolutions are as already agreed to by the committee.

Mr. FOSTER. I have a letter on that very point written by a large dealer in Montreal, in which he says that they are anxious that dry white lead purchased before the budget came down should be admitted at the old rate.

Mr. FIELDING. Does he suggest a date?

Mr. FOSTER. He says:

It is not customary to have those important changes take effect suddenly, and I think it reasonable that we should have, say, till the 15th October to bring along what was bought at dates long previous to Thursday last.

I think the main point is to make sure that nothing comes in which was not actually bought before the notice was given by the Finance Minister. On the other hand, I think they ought to be able to get it here before the 15th October. Is the hon. minister willing to make it the 1st September?

Mr. FIELDING. I have no objection to accede to anything that in fairness should be done, although my suggestion does not go as far as the correspondent's letter suggests. He wants the remission to apply to all articles purchased before the tariff came down. I only proposed to allow it on all articles bought before the tariff came down and resold, because, as respects those which are to go into stock, they can regulate the price of them to suit themselves.

Mr. FOSTER. Quite so.

Mr. FIELDING. I quite agree to the suggestion to make it the 1st of September, subject to that qualification.

On section 1—wines,

Mr. FOSTER. I notice a little inconsistency—that is not remarkable—in this particular: Hon. gentlemen opposite used a very strong argument in favour of giving the preference when they said they wanted to do so to the British people, to give them a taste of what was going in the hope that they would improve by that and come gradually to the state of mind in which they would give a preference for a preference. I do not see why that would not be a good doctrine in this case. That doctrine also was applied to the British West Indies. The British West Indies got a preference in our market, although they gave us no preference in theirs, the idea being to deal with them in a sisterly fashion and may be to provoke reprisals in preference. What is to prevent that same argument applying to Australia, our great sister on the Pacific ocean? Why not in this matter of wines give them a little lead so as to help the new government there to make this preference of the Australians favourable to Canada? We would not lose very much. It would induce trade between our Australian sister and ourselves, and I do not see why the same principle should not be applied here that was applied there. What has my hon. friend the Minister of Finance to say to that principle now, or has the era of persuasiveness passed away and does he think that a little of the iron hand must be shown now?

Mr. FIELDING. In regard to the West Indies it was not only that sisterly reason which my hon. friend (Mr. Foster) has referred to, but at that particular time the

West Indian sugar trade was in a very bad way, the imperial government were making strenuous efforts to assist the West Indies, and we thought that we might show a friendly spirit, from what I might call the imperial point of view. Perhaps it escaped my hon. friend's notice that I said either in connection with the budget speech or in connection with something else that we are now in communication with Australia on the question of preferential trade and that we entertain the hope that we will be able to make a preferential arrangement. We thought that having already caused communications to be addressed to the government of Australia, we had better allow the matter to stand as it is.

Mr. FOSTER. The hon. gentleman wants to have something to huxter with.

Mr. FIELDING. I do not object to have something to dicker with. I frankly admit that in dealing with tariff problems it is as well to have some cards in your hand. Is that the correct phrase?

Mr. GALLIHER. I am sorry that I was not in when the matter came up, but I was incidentally told that there is some change affecting the time when the change in tariff in regard to lead shall become law. Am I right ?

Mr. FIELDING. We propose to change it to this extent, that in the case of goods actually ordered and on the way, which goods have been sold by the purchasers under contract, we shall recognize these and admit them at the lower rate, but that if the goods have not been actually sold, even though they are now on the way, they shall not be admitted at the lower duty.

Mr. FOSTER. Just to preserve contracts.

Mr. GALLIHER. Actually ordered at what time.

Mr. FIELDING. Actually ordered and sold before the budget came in. We protect contracts actually made before the budget came in.

Mr. FOSTER. That has always been done.

Mr. GALLIHER. That may be, but the fear I have is that they may stock up.

Mr. FIELDING. We have guarded against that.

Mr. FOSTER. In connection with rolled oats ; what is the value of rolled oats ?

Mr. FIELDING. $3.50 or $4 per barrel.

Mr. FOSTER. What percentage would this make ?

Mr. FIELDING. It would be $1.20 on about $4, or roughly speaking about 30 per cent.

Mr. KEMP. What industry is this supposed to protect ?

Mr. FIELDING. The milling industry of Canada.

Mr. KEMP. The general milling industry ?

Mr. FIELDING. Those who are engaged in the protection of this article.

Mr. FOSTER. There used to be a great deal of small mills in the maritime provinces and elsewhere, but I understand that the manufacture has now got into the hands of large corporations. Is there not a large manufactory of cereals at Peterborough ?

Mr. PATERSON. There are the Tilsons at Tilsonburg, there are three or four in Oxford, some in Wellington, Perth, Mitchell. I think Peterborough is largely engaged in export but of course they have access to the home market.

Mr. FOSTER. Oatmeal is a very common food with the people ?

Mr. PATERSON. Yes.

Mr. FOSTER. It used to be a tenet of the Liberals that it was cruel to tax the food of the poor people.

Sir WILFRID LAURIER. There are no poor people now.

Mr. FOSTER. But oatmeal is twenty per cent.

Mr. W. F. MACLEAN. How does it affect the oats coming from the States ?

Mr. PATERSON. It does not affect the duty on oats but it equalizes the duty on the quantity of oats which makes up a barrel of rolled oats.

Mr. HENDERSON. The difference between oatmeal and rolled oats is a distinction without a difference.

Mr. FIELDING. There is a trade distinction.

Mr. HENDERSON. But they are used for the same purpose.

Mr. COCHRANE. Why not put a duty on oats and protect the farmer as well as the manufacturer.

Mr. FIELDING. There is a duty on oats.

Mr. COCHRANE. But nothing in comparison.

Mr. FIELDING. Just the same.

Mr. COCHRANE. Are you sure that the duty on oats going into the States is the same as on oats coming into Canada ? You were too previous in giving your answer. You are protecting the manufacturer and doing nothing for the farmer.

Mr. FOSTER. What do they care about the farmer ?

Mr. COCHRANE. They used to say that a lower tariff bled them white ; their sympathies were in gas before, now they are in the air.

Mr. FOSTER. What is the present duty on white lead ?

Mr. FIELDING. Five per cent.

Mr. FOSTER. What will the duty be under this ?

Mr. FIELDING. Thirty per cent.

Mr. FOSTER. About cement ; what is the percentage of duty at the present time on cement ?

Mr. FIELDING. 12½ cents per 100 pounds; specific duty.

Mr. FOSTER. What is the wholesale price of cement ?

Mr. FIELDING. It varies ; I believe you can value it anywhere from a dollar a barrel upwards, about 375 pounds in a barrel.

Mr. FOSTER. By the way I think one dollar a barrel is far more than the cost of cement.

Mr. FIELDING. That is disputed ; they claim they cannot make it below that price.

Mr. FOSTER. Cement is made for much less than that.

Mr. HYMAN. In Canada ?

Mr. FOSTER. In Canada and the United States. How much is one of these bags worth ?

Mr. FIELDING. About 10 cents.

Mr. FOSTER. How many pounds in a bag of cement ?

Mr. PATERSON. 90 or 100 pounds ; four bags to the barrel.

Mr. FOSTER. What will now be the ad valorem duty on cement coming from the United States ?

Mr. FIELDING. I have not figured it out.

Mr. FOSTER. The Liberals used to be very insistent that specific duties ought to be abolished, and also that the extent of a specific duty must be determined by its ad valorem percentage. We have two able men there who have been on a tariff commission and who are going to be on another one.

Mr. FIELDING. That is eight years ago.

Mr. FOSTER. You may be rusty, but it is not much of a problem for you to figure out the ad valorem duty on a bag of cement brought from the United States.

Mr. FIELDING. I can have the calculation made exactly.

Mr. FOSTER. These are queer gentlemen to introduce a tariff and not know what the ad valorem duty would amount to.

Mr. FIELDING. Whatever the ad valorem duty is it would be increased by the amount on the bag, about 2½ cents on every bag.

Mr. FOSTER. There are four bags in the barrel, that would be 12½ cents, very nearly double the duty.

Mr. FIELDING. Oh, no.

Mr. PATERSON. The weight of the barrel is included when it is imported in barrels.

Mr. FOSTER. What does a barrel weigh ?

Mr. PATERSON. I dare say 40 pounds.

Mr. FOSTER. As heavy as that ?

Mr. PATERSON. They are very heavy barrels, not large but heavy.

Mr. FOSTER. I do not wish to press the hon. gentleman too much, but I would just make the observation that when he gets the whole thing calculated he will find that he has got his percentage of duty far in advance of what you might call a revenue tariff or a tariff for revenue only.

Mr. PATERSON. That would depend very much on the specific duty and on the price of cement. That has been very irregular as the hon. gentleman knows. If a large stock is held and there is a cut in prices of course it is sold very low at times, but when there is a combination formed the prices are advanced and then the duty is not as heavy. We have some gentlemen interested in cement here, but I think the price of cement is somewhere about $1.60. That is what our Canadian manufacturers sell it at, but it has come in at times from the United States at very low figures.

Mr. A. A. WRIGHT. It all depends on the quality of the cement. It sells all the way from $1.60 to $1.90.

Section agreed to.

On section 10,

Mr. FIELDING moved to add to section 10 the following proviso :

Provided that dry white lead purchased on or before the 6th day of July in this year at any place out of Canada for importation into Canada on evidence to the satisfaction of the Minister of Customs of the purchase and sale having been so made on or before the said date may be entered for duty at the rate of duty in force immediately before that date notwithstanding any increase of customs duty under this Act, but this proviso shall cease to have force and effect after the 15th day of September in this year.

Mr. KEMP. Are there no amendments to the dumping clause at all this session ?

Mr. FIELDING. No.

Mr. KEMP. Has it been found that it worked so well that there is no necessity for any change ?

Mr. FIELDING. There has been, as might be anticipated under legislation of that character, some friction, but I think things have become smoother and speaking generally, the legislation has been found satisfactory and effective. I do not say it is absolutely perfect, but I am not aware of any change that would make it more easily managed.

Mr. KEMP. I did not discover until long after the last session of parliament that in section 19, subsection 8 of the Act, the government by the wording, which was somewhat concealed, had taken the power to exempt 5 per cent of the value in the country where the goods were produced in judging when the dumping clause should be brought into effect. That is to say that a merchant in Canada who purchased in the United States, $1,000 worth of goods the value of which was $1,000 in the United States, if they were dumped to the extent of 5 per cent that 5 per cent, the dumping would not be considered, but if they were dumped to the extent of 6 per cent, then the value of the goods in the United States would be the same as if the value had been ascertained in the usual way, that is that the duty was to be paid on the value of the goods for home consumption. The Minister of Customs will understand to what I refer. I do not know why the government took this power, because 5 per cent is certainly on staple articles what may be called a slaughter price. It seems to me it is necessary under the law as it stood originally, to find out what the price is in the United States for other purposes than the dumping clause, it was not necessary for the Customs Department or the government to exempt 5 per cent for dumping.

Mr. PATERSON. As the hon. member has said, parliament made provision that if there was a slight difference in reference to the matter, regulations might be made by the Customs Department to effect the more easy working of the Act and prevent friction. The board of customs which deals with these matters had to take some line ; and of course the question came in as to what shall be called a slight difference —whether it should be 2½, 3, 5, or 10 per cent. They thought that 5 per cent would be a good medium to adopt, and they adopted it. It has been the means of enabling us to work the Act in a moderately satisfactory way. As my hon. colleague the Minister of Finance has said, there was of course naturally a little friction when this Act first came into force. It was legislation in a new line, and our merchants had to become accustomed to it ; but gradually the board of customs were enabled to frame regulations under which we have now very little complaint indeed. With reference to the 5 per cent, the hon. gentleman says you have to ascertain the value for duty. That is true, but there are difficulties. For instance the Customs Act requires importers to pay duty upon the cash discount except when an article is sold exclusively for cash. Well, differences of opinion arise in that regard at times. The importer may claim it is an article that is sold exclusively for cash. The department may not be quite satisfied that such is the case in every instance. If that be the case and the discount is under 5 per cent, if the claim is considered meritorious it is approved. Then again questions come up which are very difficult to adjudicate upon. Under the system in which business is done very largely in the United States now, namely, prepaying freight or making allowance for the freight, some houses will make allowance for freight to a certain zone near the point of manufacture. At a further zone it will be more, and still more at another point. In establishing all these circumstances, there are two principal reasons why they find it necessary to avail themselves of the provision parliament gave them of having a little margin to work upon in order to prevent friction, and it has worked fairly well. I see the hon. gentleman thinks 5 per cent might become general and that the shippers might avail themselves of it and ship to 5 per cent.

Mr. KEMP. It has become general under this clause.

Mr. PATERSON. It is open to that objection, but it only applies to the application of the dumping clause—not to the general tariff but to the extra duty that is imposed.

Mr. KEMP. It has become general. The American shippers soon found out that there was a difference of 5 per cent, and they are dumping to that extent on staple articles. There are certain articles, patented articles, which can be dumped to the extent of 25 per cent, but 5 per cent is a big percentage on staple articles such as textiles, &c. I do not understand the consistency of this thing when the Finance Minister told us last year that his dumping clause was for the purpose of meeting the complaint of a lot of people who had come to the government asking for protection against dumping. Yet that very protection which he gave them, he takes away again by the exemption of the 5 per cent. There is further this inconsistency. Take $1,000 worth of goods which are dumped to the extent of 5 per cent. With 30 per cent duty paid on them, they will cost $1,250. If they are dumped to the extent of 10 per

cent and the duty is 30 per cent, they will cost $1,300 under the law. I note what the hon. minister says with regard to the packages and other charges, but where the goods are absolutely sold 5 per cent less in Canada than they would be for home consumption in the United States, I do not see the necessity—inasmuch as you have to ascertain what the value is in the United States for the regular duty—of this deduction of 5 per cent. I do not want to prolong this discussion, but I do not want the resolution to pass before bringing this matter to the attention of the government. It is a matter that might well be considered by them, and I hope they will see their way clear to remove the exemption of 5 per cent.

Mr. PATERSON. There is this point. If it goes 6 per cent, we add the whole thing. The question has been in my mind whether it would be more equitable if we just charged on the 1 per cent, or if it was 7 per cent, on the two, but if it goes beyond 5 per cent we apply the law rigorously—five per cent or under. The board of customs thought it was absolutely necessary they should have that much leverage in which to determine cases. We have put on several officers for the express purpose of ascertaining values, but there is difficulties in ascertaining the values after all. Because one merchant may buy larger quantities or one house may sell a little lower than another and there may be a difference but under our regulations we have done away with a good deal that would be irritating. The loss to the revenue cannot be much under it nor do I think it will work any very great hardship. You must remember we are charging the full duty. This 5 per cent has only reference to the imposition of an extra duty levied under what is termed the dumping clause.

Bill reported, read a third time and passed.

SUPPLY—CONCURRENCE.

House proceeded to consider resolutions reported from Committee of Supply.

Immigration—further amount required for salaries of agents and employees in Canada, Great Britain and foreign countries, $30,000.

Mr. FOSTER. I move that this item be not concurred in but that the vote be diminished by the amount of $900, being the salary of Robert Nixon, who was reported on examination to have been guilty of embezzlement of public funds and malfeasance of office.

I do not propose to take up the time of the House on this motion because the matter has been fully discussed in committee. I simply put the motion to affirm in the House what I contended for in the committee.

Mr. FIELDING. The matter has been fully discussed already and is still the subject of investigation. The statements in the motion are hardly justified by the facts. The charges are now under investigation by the principal officer of the department. If further information shall lead the minister to the conclusion which the hon. member for North Toronto has reached, no doubt he will be able to deal with the item.

Mr. FOSTER. If the House will allow me I will take just half a minute to make my statement as against that of the Minister of Finance (Mr. Fielding). This man was in the land office at Macleod. It was in the land office in Macleod that the things complained of took place. While this man was in charge of this office he was guilty of this embezzlement. The charges against Nixon were put into the hands of Mr. Leach, of Winnipeg. Mr. Leach made an investigation up to a certain point and reported this man as guilty of embezzlement of funds and malfeasance in office in many other particulars. Nixon then gave in his resignation, and without any further inquiry he was appointed to an office in the Immigration Department at a salary of $75 per month. These are, I think, the facts of the case as they stand, and it is because of this action upon the part of the government that I make this motion.

Hon. FRANK OLIVER (Minister of the Interior.) I must take the liberty of correcting the hon. gentleman (Mr. Foster) in his statements. He says that Mr. Nixon was in the land office at Macleod. There is not now, and there never has been, a land office in Macleod, as land offices are understood in the west. There was a sub-land agency there and Mr. Nixon was the sub-land agent and transacted the business of that sub-land agency in the manner in which such business is usually carried on. The report by Mr. Leach was not, as I understood it, a report that Mr. Nixon was guilty of embezzlement. I took the liberty of saying before, and I say again, that the hon. member (Mr. Foster) has no authority for aspersing the character of a private individual under cover of his position as a member of this House as he has done in this case. When embezzlement shall have been reported against Mr. Nixon, Mr. Nixon will be dealt with by the department and by the courts of justice, but until he is reported as guilty of embezzlement I would not think this House would be justified even under the allegation of the hon. member for North Toronto (Mr. Foster) in declaring him guilty of embezzlement. I think the character of a private citizen should have consideration even at the hands of the hon. member for North Toronto.

House divided on amendment (Mr. Foster.)

YEAS :

Messieurs

Alcorn,	Ingram,
Ames,	Kemp,
Armstrong,	Lake,

Avery,	Lennox,
Barr,	Lewis,
Blain,	MacLaren,
Borden (Carleton),	Maclean (York, S.),
Brabazon,	McCarthy (Calgary),
Broder,	McLean
Christie,	(Queen's, P.E.I.),
Cochrane,	Perley,
Elson,	Taylor,
Foster,	Walsh,
Haggart,	Wilson
Henderson,	(Lennox & Add.),
Herron,	Wright (Muskoka).—30.

NAYS :

Messieurs

Archambault,	Lachance,
Belcourt,	Lanctot,
Boyer,	Laurier
Brown,	(Sir Wilfrid),
Bruneau,	Lavergne
Bureau,	(Drum. & Arth.),
Caldwell,	Loggie,
Calvert,	Lovell,
Campbell,	Macpherson,
Carney,	McCool,
Carvell,	McKenzie (Bruce),
Cash,	McKenzie
Clarke,	(Cape Breton, N.),
Conmee,	Marcil (Bagot),,
Costigan,	Miller,
Demers,	Oliver,
Derbyshire,	Piché,
Dyment,	Préfontaine,
Emmerson,	Proulx,
Fielding,	Ratz,
Finlay,	Reid (Restigouche),
Finlayson,	Riley,
Fisher,	Roche (Halifax),
Fitzpatrick,	Ross (Rimouski),
Gauvreau,	Ross (Yale-Cariboo),
Geoffrion,	Savoie,
Gervais,	Schell (Oxford),
Girard,	Smith (Oxford),
Grant,	Stewart,
Greenway,	Talbot (Strathcona),
Hughes	Telford,
(King's, P.E.I.),	Turriff,
Jackson (Selkirk),	Watson,
Johnston,	Wright (Renfrew)—66.
Kennedy,	

PAIRS :

Ministerial.	Opposition.
German,	Macdonell,
Gordon,	Clements,
Harty,	Reid,
Hyman,	Pringle,
Lemieux,	Tisdale,
Mulock,	White,
McCarthy,	Northrup,
Logan,	Lefurgey,
Tobin,	Léonard,
Martin (Wellington),	Roche (Marquette),
Dugas,	Paquet,
Sloan,	Monk,
Adamson,	Wilmot,
Béland,	Hughes (Victoria),
Black,	Bergeron,
Bole,	Sproule,
Borden	Seagram,
(Sir Frederick),	
Brodeur,	Osler,
Burrows,	Barker,
Crawford,	Bennett,
Gallery,	Ward,
Galliher,	Lancaster,
Hall,	Fowler,
Hunt,	Ganong,
Lamont,	Morin,
Laurence,	Martin (P.E.I.),
Law,	Clare,
Macdonald,	Cockshutt,
McColl,	Daniel,
Meigs,	Stockton,
Parmelee,	Chisholm,
Pickup,	Lalor,
Power,	Forget,
Schell (Glengarry),	Bristol,
Scott,	Crocket,
Sifton,	Jackson (Elgin),
Sinclair,	Boyce,
Smith (Nanaimo),	Worthington,
Telford,	Bland,
Tobin,	Staples,
Wilson (Russell),	Schaffner,
Zimmerman.	Gunn.

Amendment negatived, and resolution voted.

Post Office—additional amount required for mail service, $285,000, and for miscellaneous expenditure, $39,000, $324,000.

Mr. FOSTER moved in amendment :

That this item be not concurred in, but that the vote be diminished by $1,000, being the allowance to J. D. Dobey, postmaster at Thessalon, who was reported guilty of misappropriation of public funds, falsifying returns, pretending to make remittances and other misconduct in office.

Amendment negatived on the same division ; and item concurred in.

TRANSFER OF METEOROLOGICAL SERVICE.

Mr. FOSTER. I would like to put a question to the Minister of Marine and Fisheries with reference to the removal of the meteorological service from Toronto. A correspondent there mentions that in the spring and early summer of 1903 correspondence took place between Mr. E. F. Clarke and the government about the proposed removal of the head office of the meteorological service from Toronto to Ottawa. My correspondent states :

It was finally decided that it would not be moved, and it was stated by Chancellor Meredith, in his commencement address in June, 1904, that within two years a new building would be erected at the corner of Devonshire Place and Bloor street by the Dominion government. . . In 1903, not long after the session of parliament began, a deputation of the University of Toronto went to Ottawa and interviewed the Minister of Marine and Fisheries for the purpose of getting the ground which the observatory now occupies, south of the University building for the purpose of erecting a convocation hall and physical building, and at the time the Minister of Marine and Fisheries told Mr. E. F. Clarke, on a question being asked by him in the House, that he intended to move the observatory to Ottawa. . . Then the mayor and members of the Board of Trade went to Ottawa and spoke to the Min-

ister of Marine and Fisheries about the matter, and Sir Wm. Mulock interested himself in the matter, so that about early in July, if I remember rightly, a letter was written to the mayor of Toronto, which he read to me and is now on file in his office, stating that the government would not move the head office of the meteorological service from Toronto. But since Chancellor Meredith's speech I have seen nothing more about the matter, and I have not noticed that any appropriation has been made for the new building in the estimates which are now before the House.

I would like the Minister of Marine and Fisheries to state the government's intention in reference to this matter.

Mr. PREFONTAINE. I will be able to make a statement to-morrow.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. Possibly the Finance Minister might give us an idea of what he proposes to do with reference to the superannuation of the Auditor General.

Mr. FIELDING. The matter has not been dealt with, in the absence of an official of the government, and I am not in a position to make any statement.

Motion agreed to, and House adjourned at 9.15 p.m.

HOUSE OF COMMONS.

TUESDAY, July 18, 1905.

The SPEAKER took the Chair at Eleven o'clock.

OFFICIAL REPORT OF DEBATES.

Mr. H. GERVAIS (Montreal, St. James) presented the seventh report of the Select Committee appointed to supervise the official report of the Debates of the House during the present session, as follows:

House of Commons,
Tuesday, July 18, 1905.

Your committee recommend that the salary of $1,500 per annum paid to each member of the staff of translators of the debates be increased to $2,000, and that said increase date from the 1st instant.

All of which is respectfully submitted,

HONORE GERVAIS,
Chairman.

CANADIAN FAST MAIL SERVICE.

On the Orders of the Day being called,

Mr. D. D. McKENZIE (Cape Breton). Mr. Speaker, I wish to direct attention to a matter which I think is of sufficient importance to the country to justify me in asking for a little time of the House and in moving the adjournment if necessary to put myself right. It is a matter that is well known to the House. I refer to the test which was made a few days ago of the landing of the British Canadian mails at the port of North Sydney, and it is, particularly to us in the maritime provinces, a very important matter. I wish to bring the matter in this way to the notice of the House and of the government so that the facts, as far as we know them, may receive every consideration and attention. It is rather an unfortunate occurrence in connection with this test that the 'Virginian' was delayed off the coast of Newfoundland for fifteen hours. That, of course, is a delay which is common to every route from the other side to Cape Race. The delay occurred on common ground whichever port the boat intended to make on the Canadian side. Therefore, the delay of fifteen hours which occurred at Cape Race is not to be counted against the test from North Sydney to Montreal. I take it that the test, as far as the time from North Sydney to Montreal is concerned, is entirely satisfactory, and I think almost up to the best expectations of the warmest supporters of that route. I have here a telegram which can be considered as official. It is signed by the manager of the Intercolonial Railway and is addressed to myself. I have no doubt that several hon. gentlemen, particularly on the government side, have received copies of this telegram. It reads as follows:

New Glasgow, Nova Scotia, July 14.

The mail special from the 'Virginian' left North Sydney at 10.49 a.m. on 13th and arrived at Montreal, 982 miles, including the ferry at Strait of Canso, at 8.20 a.m., eastern time, on the 14th. Time taken for the run 22 hours and 31 minutes, equal to 43.61 miles an hour.

(Sgd.) D. POTTINGER.

Practically the run from North Sydney to Montreal was made at the rate of forty-four miles an hour. This is a record that is creditable to the Intercolonial Railway, and creditable to all who had anything to do with this test. But one particular point about it is the extraordinary time made at the Strait of Canso in the handling of the train across that body of water. It is almost incredible that the train could have been landed on board the steamer 'Scotia,' taken across a mile of water and discharged on the Nova Scotia side in the very short time of nineteen minutes. Yet this is the recorded time it took the 'Scotia' to receive the train and mails and deliver them on the other side. And, according to the reports, the mails were delivered in Montreal twelve hours ahead of the ordinary time. But even if it were conceded that the mails for Montreal and western points were not delivered any earlier by this route than by the route heretofore used, it is of importance to the government and to the country that the people of the maritime provinces should receive their mails, as they may by this route, at least two days earlier than formerly.

Mails would have arrived in Halifax and Charlottetown two days later than they did by this route. This is very important, but it is not to be wondered at when you take into consideration the distance. And, although they are not new, I wish to put on record again the distances of the different routes :

	Miles.
Quebec to Liverpool..	2,663
Montreal to Liverpool..	2,773
New York to Liverpool..	3,105
Boston to Liverpool..	2,807
Portland, Maine, to Liverpool..	2,789
St. John's, New Brunswick, to Liverpool..	2,700
Halifax to Liverpool..	2,450
North Sydney to Liverpool..	2,100

North Sydney, of course is the nearest point of Canadian soil to the motherland. Therefore if it were argued that the mail could not be landed in Montreal any faster than it is now, provided the steamer could come by Belle Isle, as I said before, it is highly important that the maritime province people, who number 1,000,000 souls should receive their mails from the other side two or three days earlier than others can by the Rimouski route.

I wish to state briefly the compliment paid to the Intercolonial Railway by an opposition paper in the city of Sydney. This paper is the organ of the Conservative party in the county I come from, and so is not disposed to pay empty compliments to the Intercolonial Railway, or its management. I refer to the Sydney 'Daily Post,' and from its issue of July 15th, I quote:—

The run with the mail train from North Sydney to Montreal reflects the highest credit on the operating staff of the Intercolonial. The information on which their plans were laid was inaccurate and shifting, but from this a well conceived plan of handling the train was evolved, and was carried through by the various groups of men entrusted with its execution in a way which reflects the highest credit on every one.

It says further:—

For skilful work and pushing courage to the extreme point where caution unexorably limits it, there are good men and true in abundance on the Intercolonial Railway, as the run to Montreal proves. What is true of the drivers holds good of superintendents, despatchers, conductors and crews. The more one knows of train handling the more highly one thinks of the good men of the Intercolonal Railway.

Of course, with this, the editor has a few dashes at the government, saying that it is a political machine; but, political machine though it be, it is conceded by this newspaper that the test made proved the efficiency of the road beyond all peradventure. The same paper says further.

The test of the land route for inward mails from Britain has turned out most satisfactorily, but it will have to be repeated a number of times before all the opposing sectional interests will be brought to a final realization of its advantages. We have shown elsewhere the benefit to Halifax, St. John and all other points in the maritime provinces, and it is distinctly proved that Montreal and all points west will have an advantage of over twelve hours, even when the ship has most favourable weather conditions, by landing the mails here. It will now be necessary to try the outward test as well, providing facilities for the transference of mails and passengers for the mother country off Sydney harbour. The outward and inward gains added together will mean an advantage of twenty-four hours. The saving of a day sometimes means a good deal in business transactions.

I wish to quote also from the 'Morning Chronicle,' of Halifax, of 15th instant—a paper that would not be partial to North Sydney:—

The rapid transit of the 'Virginian's' mails overland from North Sydney to Montreal has amply demonstrated the practicability of utilizing North Sydney as a port of call for the landing of mails and passengers from steamers bound to Montreal. The ocean passage, as we stated yesterday, was not satisfactory, but that is of small importance in connection with the test that has been made.

The main object was to prove that the North Sydney route was materially faster than the Rimouski route, and in that respect the test has been eminently satisfactory. The trial shows that British mails landed at North Sydney can be delivered in Montreal from twelve to thirteen hours ahead of those carried by steamer to Rimouski and thence forwarded by train to Montreal.

The special train ran from North Sydney to Montreal in twenty-two hours and thirty-eight minutes, or at an average speed of forty-four miles per hour. The 'Virginian's' mails were delivered in Montreal at 8.30 a.m. yesterday, three and a half hours before the turbiner, which was driven at high speed up the St. Lawrence river, arrived at Rimouski, where the mails are usually landed. Allowing two hours for the transfer of mails at that point and eight hours for the railway journey from Rimouski to Montreal, the mails, if carried by way of Rimouski, would have arrived at Montreal about fourteen hours later than those landed at North Sydney.

The 'Virginian,' it is true, had to deviate somewhat from her course—thirty miles is a fair estimate—to bear up for Sydney, and allowing the turbiner two hours loss for that deviation, the train still gained about twelve hours on the steamer—an advantage which in these days of rapid business operations is sufficient to justify the adoption of North Sydney as a permanent port of call.

Two important facts stand out as the result of the test, namely, that North Sydney is twelve hours quicker than Rimouski as a mail terminus, and that one million people in the maritime provinces received the British mails from one to two days earlier than if they had been carried to Rimouski. That after all is the point of capital importance to us. Passengers for Cape Breton points were able to reach home on Thursday morning, and the passengers and mails for Halifax arrived in this city at one o'clock yesterday morning, whereas if they had gone to Rimouski the Halifax passengers would not arrive in this city until this morning, and those for Sydney would not reach home before twelve o'clock to-night.

Therefore, we contend, even if there had not been any gain in the delivery of the mails at Montreal, the test would still be justified by the result. The interests of a million people in the Atlantic provinces must not be disregarded because the shipping community of Montreal demands the retention of Rimouski as the mail terminus, and the sooner the people insist upon their rights in this respect, the sooner will the route that will best accommodate all the Dominion be adopted. The test just made has strengthened the claims of Nova Scotia ports.

Now, Mr. Speaker, it seems to me that what I have pointed out is clear—this gain of twelve, or fourteen, or perhaps twenty hours in the delivery of the mails in the maritime provinces. And it is contended that it means a gain of twenty hours in Montreal with favourable conditions; and also it is contended that if we had the same class of steamers running from Liverpool to North Sydney, as run from Liverpool to New York the mails would be landed in Sydney twenty-four hours earlier than they can be landed there with the present steamers. But I wish to point out to the department that is concerned that the test made is not altogether a fair one. There is a delay of one hour and ten minutes in transferring the mails from the 'Virginian' to the 'Canada,' off Sydney harbour, and also delay in transferring mails from the 'Canada' to the train. Only one handling is necessary, instead of two. There is nothing to prevent the 'Virginian' coming straight into the tracks of the Intercolonial at North Sydney. The 'Canada' came in from the 'Virginian,' a distance of twelve miles from the terminus, in fifty minutes, including the dropping. I submit that, instead of making the transfer at sea, it would be very much better for the 'Virginian' to come into the wharf and deliver the mails direct to the train. Sydney harbour is one of the finest in the world. At the point were the mails were taken, at the mouth of the harbour, it is eight miles wide, with no bars to interfere with navigation. The run up to North Sydney, the terminus, is perfectly clear. If the people who own the vessels understood the conditions, they would not think of making a transfer of that kind. They would run their vessel alongside the wharf, and transfer the mail. And, on the outward trip, they could do the same thing. In that way, a saving of the time I have stated, one hour and ten minutes could be made.

I wish to emphasize the point that this trial has hardly been a fair one. The delay of fifteen hours on account of fog off Cape Race is not to be charged against the North Sydney route, because the water is common to the route no matter what port you may be going to—St. John, Halifax or Montreal. I trust that if this test is not satisfactory, a test will be made so that Sydney harbour will have a fair show. And in conclusion I would again call attention to the fact that there is no necessity for the transfer at sea, but that the vessels can come straight to the wharf without detention outside.

I would like to point out that there is nothing to prevent the 'Virginian' coming full speed to within 500 yards of the head of the pier at North Sydney. I am not a sea captain, nor do I understand the management of a vessel, but I do know that there is nothing to prevent a steamer coming in at full speed until she slows down to tie up to the dock at Sydney. Steamers have a clear seaway all through and those navigators who are accustomed to narrow harbours with shoals and islands will appreciate the fact that such obstructions and dangers are not encountered in the harbour of North Sydney. The landing of the mails there would be a great boon to the maritime provinces, and whether it may become a port of call for all the mails or not, I hope that the Post Office Department and the Railway Department will make such arrangements that at least the maritime province mails and passengers will be landed at North Sydney on the westward voyage and taken on board at North Sydney on the voyage eastward. I could produce strong evidence from the newspapers of the maritime provinces to show that the recent test has been satisfactory, but I will not detain the House at this late hour of the session. I felt it was my duty to the port of North Sydney to bring this matter to the attention of the House and the country, and I trust that other tests will be made and that data may be collected by the government to show whether or not it is of advantage to the country at large that North Sydney should be made a permanent port of call. I beg, Mr. Speaker, to move the adjournment of the House.

Hon. W. S. FIELDING (Minister of Finance). I have felt very much interested in this experiment respecting the landing of the mails at North Sydney. I have for some time past been very anxious that the attempt should be made and I have often discussed it with the Messrs. Allan and with my colleagues. I was exceedingly glad when the opportunity recently came to make the experiment under what might be termed moderately fair conditions. But after all, so far as the ocean passage is concerned it is not an experiment. A glance at the map will show that the geographical position of the harbour of Sydney is such that vessels coming south of Newfoundland will find it most advantageous to land the mails at Sydney harbour—the port of North Sydney being the most convenient point there—and that it would not only be in the interests of the maritime provinces but of the whole Dominion that this should be done. The interesting part of this experiment has been the great success of the Intercolonial Railway in transporting the mails from North Sydney to Montreal in about 22 hours, which is better than we even hoped

for in any consideration that has been given to the question in the past.

Mr. R. L. BORDEN. What rate is that per hour?

Mr. FIELDING. It is about 43·61 miles per hour. This is a remarkable record for the railway. It is only fair, however, to say that this part of the experiment was made under the most favourable conditions. It is like a sample of merchandise which is always the best that is in the package, and the Railway Department very properly made every effort to insure the success of the test. I congratulate the Minister of Railways and his officials upon doing their part of the work so well. Of course the cost involved in this special effort would be a fair matter for consideration. As my hon. friend (Mr. D. D. McKenzie) says, there are a million people in the maritime provinces who are specially interested in the eastern terminal port of the Atlantic service, and if you can land the mails at North Sydney, giving rapid transportation to points west and at the same time save a day or perhaps two days to the people of the maritime provinces, then indeed a very strong case has been made out. There is, however, one point which my hon. friend (Mr. D. D. McKenzie) has not had in his mind, and that is, that all these calculations will only apply to steamers taking the route south of Newfoundland. If it is desirable that they should utilize the short route by way of Belle Isle, these calculations will not hold good, because vessels taking that route could not diverge to call at Sydney. It is possible that a solution might be found—I only give it as a suggestion and not as the policy of the government; not even as my own conclusion—I think a solution might be found in an arrangement by which when the steamers do not use the straits of Belle Isle, but come south of Cape Race, the mails might be landed at North Sydney. By that means you would probably get a quicker route to Montreal than by going to Rimouski, and at the same time you will be conferring a great advantage on the people of the maritime provinces. But during that portion of the season when the steamers take the short route by way of Belle Isle they could not get to Sydney without a very considerable divergence, and perhaps the steamship company would not regard that with favour. I presume also, that the people of the west would feel they are entitled to the advantage of the shortest Atlantic route by way of Belle Isle.

Mr. R. L. BORDEN. During what portion of the season would they go by way of Belle Isle?

Mr. FIELDING. The 'Virginian' came south of Cape Race and I think she is the last to come by that route for the present. From this time forward, for a period of about three months, they go through the straits of Belle Isle—later on again they come by the southern route. So long as we are dealing with the question of the southern route everything that my hon. friend (Mr. D. D. McKenzie) has said is absolutely correct and unanswerable. Now that the matter has been brought to the attention of the House by my hon. friend (Mr. D. D. McKenzie) we have in it a good subject for study. One suggestion the hon. gentleman has made is worthy of consideration—although it is not without another side—and that is that instead of the vessel discharging the mails off the port of North Sydney she might come directly to the dock. We have a very good pier at North Sydney at present, but it may be expedient that it should be extended so that we could beyond all question give a suitable depth of water to these steamers should it become a port of call. It is well, however, to remember that the vessels do not come into the dock at Moville and Queenstown, but that they find it more economical in the matter of time to land mails and passengers and to receive them through the medium of a tender. There is no doubt that the steamship companies have fully considered this matter and have felt that it is better to use a tender than to dock. There might be something of the same argument in the case of North Sydney, but that is a question of detail for future consideration. I can assure my hon. friend (Mr. D. D. McKenzie) that the government will approach this question most sympathetically with a desire to adopt the shortest and the best available route for both mails and passengers.

Mr. T. S. SPROULE. It seems to me that the only element of doubt in the success or failure of this route, is the prevalence of fog south of Newfoundland on account of which the steamer might be detained. So far as the speed of both the vessel and the train goes, the experiment was undoubtedly fairly successful, but of course if there should be detention by fog it would destroy the value of the route. I think it has been shown, however, that the English mail for Toronto and the west could be delivered in even shorter time when sent via New York, and if that be so it would of course militate against the success of the Sydney route. But, if the mails can be forwarded as rapidly via this route and through a Canadian port as by way of New York, then it is the duty of this government to endeavour by every means in their power to make our transatlantic mail service distinctively Canadian. I think it would be worth while to repeat the experiment; if one experiment does not determine the question the experiments should be continued.

Mr. FIELDING. With regard to the fog there is nothing in the Sydney route in re-

gard to the great experiment which is affected by fog. The fog was near Cape Race so no matter whether the vessel was going to Sydney or more directly up the St. Lawrence she would first have had to go through the fog. There was of course fog and detention but it was not due to the Sydney route, but to the general line and whether the vessel was going to Rimouski or to Cape Breton the fog would have been the same, while if she had been on the Belle Isle route the fog would probably have been much greater.

Mr. SAM. HUGHES. One point in favour of the Sydney route is that soundings are easily obtainable for upwards of 200 miles out, whereas going further south to Halifax you do not get into shoal water until you are quite near the shore. Going to Sydney I think a vessel could almost make full steam in the fog, the navigators know the water so well.

Mr. R. L. BORDEN. So far as the test affects the Intercolonial Railway it seems to have been eminently satisfactory. It is a record, I think, on the Intercolonial Railway between the maritime provinces and Montreal but there is some information I would like to get respecting the test as a whole. I trust that the tests may be continued and that eventually this route may be found to be successful. Putting aside for the moment the question of fog and how much the steamship lost by diverging from her regular route, that is the regular route south of Newfoundland, and by stopping to deliver the mails, I would like to see a comparison made of the time from that point by the 'Canada' and by the Intercolonial Railway with the time which should be made by the 'Virginian' in the ordinary course to Montreal and thus ascertain what actual net gain has been made by this new route. Reference was made to this in some of the Montreal newspapers but I have not seen it exactly worked out. The minister might also inform us whether or not it is proposed to continue these tests on other occasions during the present season.

Mr. WM. ROCHE. If my hon. friend from Victoria (Mr. Sam. Hughes) knew as much about the bottom of the sea as about the head of the army I think his opinion would be of value, but unfortunately for him the vicinity of Halifax is as well known in regard to soundings and depths as any other part of the coast, and a captain who takes soundings can always get in with safety. The difficulty is that some steamship captains dispense with soundings and in consequence there is trouble, but the soundings are well known and have been established for hundreds of years. If a captain persists in steaming full steam ahead on the main shore he will get into difficulty. Of course in military matters all you have to do is to advance with the utmost rapidity and discomfit the enemy, but unfortunately in nautical matters you have to know where you are going. Halifax is the best harbour in the world and steamers can make it with the utmost despatch. As soon as they arrive off the harbour they can immediately proceed up it. Fogs are not at all numerous, there may be an occasional fog but nothing to impede navigation and there is no ice whatever and the harbour is accessible all the year round.

Mr. FIELDING. This experiment has of course relation only to the summer voyage going up the St. Lawrence, it has no reference to the winter route.

Mr. EMMERSON. I would say to the leader of the opposition that the Intercolonial Railway management are preparing data showing a comparison as between the time occupied from Sydney by the Intercolonial Railway from Montreal and the time occupied by the 'Virginian' in reaching the same destination or rather in reaching Rimouski, because, after all, it is a question to some extent between the landing of the mails at North Sydney and the landing of the mails at Rimouski. My hon. friend from Grey (Mr. Sproule) mentioned the effect of fogs but irrespective of fogs, at that particular season of the year, up to this date the Belle Isle route is not adopted by the steamers; as I understand they take the route south of Newfoundland and it is simply a question as to whether the diversion over to North Sydney would occupy too much time or whether it would be a saving to proceed direct to Rimouski and there land the mails. I am very glad the Intercolonial Railway was able to do its work so efficiently. The officials are certainly entitled to congratulations for the way in which the train was handled. It must be borne in mind that apart from the question of distance the trip involves the crossing of the Straits of Canso on the steamer 'Scotia.' More or less time is taken in making that crossing, but they did it in very remarkably quick time. All the way through even over the Cape Breton section of the Intercolonial Railway, notwithstanding the extreme heat and consequent expansion of the rails, splendid time was made.

Mr. R. L. BORDEN. Did the minister state the net result of the test?

Mr. EMMERSON. I am stating that this is being prepared; we did not have an exact statement from the steamer, but as soon as that is received the data will be published.

Motion (Mr. D. D. McKenzie) to adjourn, negatived.

NATIONAL TRANSCONTINENTAL RAILWAY.

Hon. H. R. EMMERSON (Minister of Railways and Canals). My hon. friend from North Toronto (Mr. Foster) asked certain questions the other day with respect to the

Transcontinental Railway. I have submitted these questions to the acting chairman of the commission and his replies are as follows :

To the question :

How soon does the government expect to be in a position to award contracts on their part of the work ?

The commission answered :

We hope to be able to let contracts on the eastern section before the end of the present year.

To the question :

Has any agreement been arrived at with the Grand Trunk Pacific as to the method by which the work shall be done subject to joint supervision, inspection and acceptance of chief engineer appointed by the government and the chief engineer appointed by the company as provided in section 7 of the agreement dated July 29, 1903.

The answer of the commission is as follows :

The general specifications for the work have been agreed to between the chief engineer of the Transcontinental Commission and the assistant chief engineer of the Grand Trunk Pacific.

No other agreement has been arrived at. These specifications are printed in the interm report of the commission. I might add, on behalf of the Railway Department, that the chief engineer of railways and canals also had under consideration, jointly with the engineers of the Grand Trunk Pacific and the Transcontinental Commission, specifications not only of the eastern section of the railway, but of the western as well, and a uniform specification which will be found in the report laid before parliament has been adopted and agreed upon. The arrangement, so far as the Railway Department is concerned, is that these specifications shall be followed by the Grand Trunk Pacific in construction of its line west of Winnipeg and by the Transcontinental Commission on the line between Winnipeg and Moncton. To the question: Can you bring down all correspondence with the officers of the Grand Trunk Pacific and the commissioners on the subject? the answer is: There is no such correspondence.

I may say that the specifications adopted have been signed by the respective engineers of the Grand Trunk Pacific and the Transcontinental Commission, and approved by Mr. Schreiber as chief engineer of the government. Minutes also have been adopted by the company, the commission, and the government as well.

With respect to the second question, I may say that the commission have not taken any action with respect to the terminals. They have had inquiries made by their engineers. The government has not taken action towards the location of those terminals at Winnipeg. Some action has been taken by the government with respect to the approaches to Quebec and the Quebec bridge, but nothing definite has been done with respect to the Winnipeg terminal.

There is no correspondence between the companies and the government beyond the fact that some of the companies have been notified with respect to the approaches to Quebec at the bridge.

DOMINION LANDS ACT.

Hon. FRANK OLIVER (Minister of the Interior.) I beg to move:

That the regulations made by the Governor in Council, under the authority of section 47 of the Dominion Lands Act, applicable or relating to the Yukon Territory, and set forth in Orders in Council, of which the dates are, respectively, as follows, and of which copies are laid before this House, are approved by this House, in accordance with the provisions of section 5, chapter 34 of the statutes of 1902.

Mr. HAUGHTON LENNOX. I have been asked to glance through the several documents we are now requested to approve. There are only a few points to which I would call the minister's attention. With reference to the one No. 514, extract from the report of the committee of the Privy Council dated 15th March, 1904, I would ask the hon. minister for an explanation. It refers to the fact that the free miners' certificate No. 20,746 expires on the 16th April, 1903. Then I find this recited:

The minister further states that as the regulations, however, had not been fully complied with in connection with the claims in question on the date upon which the above certificate expired, the company should have renewed their certificate for another year.

I find that the difficulty of the patents not renewing their certificates in time was got over by Order in Council and that seems to be proper, but here it refers to certain regulations not having been fully complied with. The House should know what they are.

Mr. OLIVER. In this particular case, as in others, I am not altogether familiar with the circumstances, but I fancy that the purpose of the Order in Council is to remove the legal disability from which the company suffers through not having renewed their free miners' certificate. That is to say, the title to their property was only good so long as their free miners' certificate is kept alive by continuous renewals and further by compliance with the regulations. The purpose of the Order in Council is to cure the difficulty resulting from the company having failed to renew their free miners' certificate, and I judge that there may be some slight immaterial shortage in their compliance with the general requirements, but nothing material.

Mr. LENNOX. I understand the hon. minister to say in effect that whatever there is beyond the mere want of compliance as to

time is a matter of no great importance. Then in the document dated 23rd March, 1904, No. 555, dealing with the question of allowing the cost of surveys to count in the payments for mineral claims, I find this provision made:

> The survey shall be accepted as defining absolutely the boundaries of the claim surveyed, provided it remains unprotested during the period of publication.

Prior to this statement there is a provision requiring publication in the district and the posting up of notices of surveys. I want to ask the minister whether he has considered the safety of that provision? This becomes an absolute settlement of the boundary by the mere fact of the survey being made, which is a survey initiated by a private individual, by the locatee, if we may call him so, and fixes absolutely the boundary, unless it is protested during the time of publication. I would like the minister to state whether he thinks that is a safe provision in itself; also whether the publication is such that the parties interested would be almost certain to have notice within the time of publication.

Mr. OLIVER. There is no doubt that the question raised by the hon. member is a very important one. Of course all these mining regulations have to be governed by circumstances, and according to circumstances we have to do the best that can be done to produce general satisfaction. Under ordinary conditions there would be grave objections to accepting a survey under these circumstances, but in the extraordinary conditions prevailing in the Yukon it seems to be the feasible way of meeting the difficulty. As to whether sufficient notice is given, I may say that the notice is required to be posted on the claim itself and in the mining recorder's office. These are the two places to which everybody naturally and necessarily would go to get information in regad to claims. Notices posted in these two places, if properly posted, must necessarily meet any person who is interested in that or the adjoining claim, if they take any interest in looking after the matter at all.

Mr. LENNOX. By an extract of a report of the committee of the Privy Council dated 6th October, 1904, and numbered 1933, I find that there is a recommendation that a supplemental lease be issued to the North American Transportation and Trading Company, of a hydraulic mining location on Miller Creek in the Yukon Territory. Now, this is a matter of some difficulty, and cannot be analyzed in a few moments; but I would like a brief explanation from the minister in regard to it, as it seems to embrace a very large area of territory, and probably grants important concessions. I will read one paragraph from the report so that the minister may comment upon it.

> The minister further states that two years previous to the date of the said lease the Gold Commissioner at Dawson gave public notice that he had withdrawn from placer mining entry the whole of the said location, but between the date of such notice and the date of the lease, the assistant gold commissioner granted entries for a number of placer claims within the said location, including twenty-one claims the property of the company, which they considered to be a portion of their location.

There are other recitals here, but I do not think they give us any more light upon it, except that the minister recommends, I suppose in consequence of what I have read, that for the better carrying out of the said agreement—I am not reading consecutively—and for better assuring the title of the lessees, authority be given for the issue of a supplementary lease to the said company, and that the lease annexed hereto, prepared by the Department of Justice, be approved and issued to the company. As I say, it covers a very large area of country, and I presume is a matter of considerable importance. I think it is recited that the company had already spent a considerable amount of money.

Mr. OLIVER. The reason for the supplementary lease, as I understand it, is that, as stated in the Order in Council, a lease was granted covering a certain area of ground, without exception; but under another authority entries were granted to placer miners within that area. To put the matter shortly, to get rid of technicalities, the supplementary lease is given for the purpose of protecting the interests of these placer miners to whom these entries had been granted after the issue of the hydraulic mining lease.

Mr. LENNOX. Then I presume I am right in inferring that it was owing to the conflict between the gold commissioner and the assistant gold commissioner.

Mr. OLIVER. Yes, I think the House will assume that, because the parties who secured the hydraulic lease, although they are at an advantage in regard to the protection given by this supplemental lease, they are at a disadvantage as to the protection given by the supplemental lease to the placer miners whose claims had been granted by the assistant gold commissioner.

Mr. LENNOX. I presume the minister has knowledge that this additional grant to the company was not originally contemplated?

Mr. OLIVER. Certainly not.

Mr. SPROULE. It occurs to me there are two things that ought to be done, one is to fix a time during the session of parlia-

ment when these returns should be before the House, so as to allow careful consideration of them, another is that the government should appoint a committee carefully to go over these ordinances before parliament ratifies them by resolution, as we are doing to-day, because they are much involved. A sub-committee of the Privy Council should go over these carefully and examine them beforehand in order to see if there is anything in them that requires special attention. With regard to many of these returns, they have to come down within the first fifteen days of the session; that gives plenty of time, with regard to these the same rule should be followed. As to the others, the lateness of the session, when they were presented to the House, makes it impossible to look into them carefully before they are ratified.

Mr. OLIVER. These Orders in Council of course are necessarily passed from time to time as occasion arises, as in the case where the person has failed to renew a free miner's certificate. It is desirable to pass Orders in Council at any time during the session; but all Orders in Council passed previous to the meeting of parliament might very well be laid on the table of the House soon after the opening of the session.

Mr. R. L. BORDEN. That would be a good course. It is desirable that those passed before the session should be brought down at a sufficiently early date to give us an opportunity of making an effective examination; while those passed during the session, of course, can be brought down at a later date. There were conditions this year which prevented that from being done, as I appreciate; but I trust the minister will bear this in mind at another session.

Motion agreed to.

THE NIXON CASE.

Mr. FOSTER. I wish to mention an additional matter in connection with the Nixon case. The minister stated yesterday that a second investigation had been undertaken. I have a letter from a gentleman from Macleod who is one of the victims as he styles himself, and there are two or three statements that he makes that I would like to read to the House so that the minister may take counsel as to whether or not the second examination has really done what was not done in the first, that is gone to the root of the matter in the way of the collection of evidence. The writer of this letter says:

> I might also say that though Mr. Leach, of Winnipeg, has been up here twice on investigation he has never called on me although he must be aware that I am one of Nixon's victims, and I believe the same is the case with others in a like position. My receipt is signed by Nixon himself, not by the son and the money was handed to Nixon. I thought perhaps this information might be of some use to you in regard to this investigation.

What I wish to emphasize is that I do not think the investigation can be said to be full unless there is a chance for the public to come in and give evidence. If you are going to have an investigation you must give a chance for all those who are looked upon as victims to give evidence. This man paid his money in 1901 for a lot. He has never received the lot and he gets information from the department that Nixon has never paid the money.

Sir WILFRID LAURIER. Does he say that he paid the money personally?

Mr. FOSTER. Yes, he says that he gave the money himself to Nixon and that his receipt is in Nixon's own handwriting. This gentleman who is one of the victims wrote a letter to the Crown prosecutor there asking him if he would please take notes of the facts of the case, that he had paid in the money, that he had not got the lot and that he had received information that Nixon had never returned the money and asking him to take the matter up and if the case was one which it was proper to be prosecuted. to proceed or at least to give him his opinion as to whether he should take up the case and prosecute it. The Crown prosecutor answers as follows:

> Re Nixon.
>
> Dear Sir,—On my return home I found your letter of May 15th on my desk and would say that as crown prosecutor it is not part of my duty to advise in connection with any matters of criminal nature until such are referred to me by the police.
>
> (Sgd.) M. McKENZIE.

It seems then that according to his idea what the hon. minister regarded as the proper course to take, that is for the person aggrieved to bring suit, is, by the Crown prosecutor, barred until it can filter through the hands of the mounted police. I think there must be some mistake about that. You surely cannot cut out an aggrieved person from a prosecution simply because the mounted police do not take it up.

Mr. FITZPATRICK. Certainly not.

Mr. FOSTER. These two things are proper to be mentioned and I again impress upon the hon. minister that in this case the fullest investigation is the best one and that the public should be called upon to give evidence. If Nixon has not been properly represented then we, who have preferred these charges on the best information we could get, owe him an apology, but if, on the other hand, he is guilty it should be established by evidence.

Mr. OLIVER. Would the hon. gentleman object to giving the name of that gentleman ?

Mr. FOSTER. I do not think there is any difficulty at all about giving the name. The name is G. F. Beere. The name of the Crown prosecutor is M. McKenzie.

MAIL SERVICE AT MELFORT, SASKATCHEWAN.

Mr. R. L. BORDEN. Mr. Speaker, I desire to bring to the attention of the hon. acting Postmaster General a communicatioin I have received from Melfort, Saskatchewan, which calls attention to the protest of the Board of Trade of that place.

Against the delay of the Post Office Department in furnishing a mail service for the Carrot river valley by the Canadian Northern Railway in accordance with the petition forwarded to the department in March last.

In order to test the validity of the protest, the secretary of the Melfort Board of Trade has mailed to me a postal card which he posted at Melfort in the ordinary way on the 12th of July. On the same occasion he wrote a letter which he handed to a passenger on the Canadian Northern Railway instructing him to mail it in Manitoba. The letter arrived on the 16th of July at 4 o'clock in the afternoon, while the postcard, mailed in the ordinary, way arrived to-day, July 18, at 9 o'clock in the morning, or nearly 48 hours afterwards. The difficulty seems to be that the mail communication is not by means of the Canadian Northern Railway. It is by the old system and the complaint of the Board of Trade is that it should be by the new means of communication, that is by the railway. This gentleman's letter is as follows :

Melfort, Saskatchewan, July 12, 1905.

R. L. Borden, M.P.,
Ottawa, Ontario.

Dear Sir,—By to-day's Canadian Northern Railway train from Melfort, I am forwarding you this letter to be posted at some point in Manitoba, and will also drop a card in the post office here. Please compare the postal marks of the letter and card. They, I think, will show you clearly the disadvantages under which we are labouring.

As I have said there was a difference of about 42 hours in the dates on which the letter and the postal card arrived here showing that if the Post Office Department would adopt communication by means of the Canadian Northern Railway there would be a very great improvement in the postal service of the district of which this town is the centre.

Mr. FIELDING. Probably this is a new section of railway.

Mr. R. L. BORDEN. I think so.

Mr. FIELDING. Wherever a new line of railway is built there is always a little delay while the old arrangement is cancelled and a new one is being made. It is not always a disadvantage because the railway company may have to be negotiated with in order to make a satisfactory arrangement. During this time a certain amount of delay is unavoidable.

Mr. FOSTER. I think this railway has to carry the mails.

Mr. R. L. BORDEN. Yes, under the terms of the subsidy it is bound to carry the mails.

Mr. FIELDING. Perhaps so. I know that in other cases there have been negotiations with the railway company which have caused delay.

Mr. R. L. BORDEN. It seems to have been brought to the attention of the department in March last, by a petition from the board of trade.

DATE OF PROROGATION.

Mr. R. L. BORDEN. May I ask my right hon. friend the Prime Minister whether there has been any definite arrangement as to the date of prorogation ?

Sir WILFRID LAURIER. I will be able to say at three o'clock to-day.

TRANSFER OF METEOROLOGICAL SERVICE.

Mr. FOSTER. I was to have had a statement from the Minister of Marine and Fisheries (Mr. Préfontaine) as to the meteorological observatory.

Mr. FIELDING. I mentioned it to my hon. friend the Minister of Marine and Fisheries to-day and I think his desire was to apply to my hon. friend to-morrow. Certainly before prorogation he will answer the question.

SALARY OF THE FIRST MINISTER.

Bill (No. 201) respecting the salary of the First Minister.—Mr. Fielding.—read the second time and House went into committee thereon.

Mr. FIELDING. The Act respecting the salaries of public officers provides $7,000 for the head of a department and $1,000 additional for the Prime Minister. The amendment is to that section where the $1,000 is mentioned, and we substitute $5,000 ; the $5,000 being added to the $7,000 makes the $12,000.

Bill reported.

On the motion for the third reading.

Mr. BERGERON. In the case of the allowance given to a minister after five years' service, is it understood that the annuity

given to the Prime Minister would be half his salary, or will it be $3,500 a year, the same as every other ex-minister of five years' service will get ?

Mr. FIELDING. The Bill as drafted gives the Prime Minister one half the salary he was receiving at the time of his retirement.

Mr. BERGERON. Then the annuity to the Prime Minister would be $6,000 ?

Mr. FIELDING. It would be half the salary of the Prime Minister.

Mr. BERGERON. Is that the understanding ?

Mr. FIELDING. That is the way the Bill is drafted.

Bill read the third time and passed.

THE SENATE AND HOUSE OF COMMONS.

Bill (No. 202) to amend the Act respecting the Senate and House of Commons—Mr. Fitzpatrick—read the second time, and House went into committee thereon.

On section 3,

Mr. J. J. HUGHES. Will the days actually spent by a member in going to and returning from parliament be counted as attendance ?

Mr. FITZPATRICK. I think not. Whatever the rule has been in the past it will continue to be the rule.

Mr. J. J. HUGHES. The members living in the far east, and particularly those living in the far west, will have to leave their homes a week before parliament is convened and they will reach their homes a week after parliament is prorogued. For them the session will be about two weeks longer than for other members. The mileage formerly allowed was to some extent a compensation for that ; but the mileage is now taken away, and I believe it would be fair to reckon in the attendance of these members the time actually spent in coming to and going from parliament.

Mr. SPROULE. If men live in the east it should not matter, because the sun rises earlier and the day will be longer for them.

The CHAIRMAN (Mr. Campbell). Shall I report the Bill?

Mr. BERGERON. Before you report the Bill I would like to ask whether the increased indemnity will also be given to the relatives of the members whom we have lost during the session. It would be an act of graciousness. If these men had lived they would have had the indemnity and I do not see why we should not consider their widows and children.

Mr. FITZPATRICK. That is a matter that needs to be considered somewhat carefully and probably before the session comes to a close we will be able to announce the position of the government with respect to it. Probably we ought to have a conference with the leader of the opposition in reference to it.

Bill reported, read the third time, and passed.

ANNUITIES TO EX-CABINET MINISTERS.

Bill (No. 203) respecting annuities to certain Privy Councilors.—Mr. Fielding—read the second time, and House went into committee thereon.

Mr. FIELDING. I think we all agree as to the purpose of the Bill, but a question has arisen as to whether the drafting has given effect to what is the intention of the House. I would therefore ask that the committee rise, report progress, and ask leave to sit again.

Mr. BERGERON. I would like to make a suggestion. Could we not change the word five and make it three. When a man has served as minister for three years, he should be entitled to a pension.

Mr. FIELDING. That could not be done. It would create an additional charge on the Crown. We went all over the question. From a personal point of view there may be some gentlemen we regret are not included, but that cannot be helped.

Mr. SPROULE. The only fault I would be disposed to find with the terms is that it is too short. I think it should be ten years. Of course five years is the life of a parliament, and that may be an argument in favour of the five year term. But, the danger that suggests itself to me is this. There might be ministers who, in the interests of the country, should give up office, and there might be an endeavour to retain them during the five years so as to ensure their getting a pension. A man may have come into public life for the first time and made a minister and have only given five years to the service of the state. If any change be made, it should be in the direction of lengthening the term rather than shortening it.

Progress reported.

JUDGES OF PROVINCIAL COURTS—SALARIES.

Bill (No. 204) to amend the Act respecting the judges of provincial courts—Mr. Fitzpatrick—read the second time, and the House went into committee thereon.

On the paragraph,

Ontario.—The senior judge of the County Court of the county of York, $2,900 per annum ; Sixty-seven other judges and junior judges of other county courts and district courts, each, $2,500 per annum during the first three years of

service, and after three years of service, each, $3,000 per annum.

Mr. SPROULE. There are certain judges who are assigned to districts in the unorganized territories. Are these men counted the same as county court judges ?

Mr. FITZPATRICK. Yes.

On the paragraph,

Nova Scotia.—The judge of the County Court of the county of Halifax, $3,000 per annum ;
The judge of the County Court of district No. 7, $3,000 per annum ;
Five other County Court judges, each, $2,500 per annum during the first three years of service, and after three years of service, each, $3,000 per annum.

Mr. D. D. McKENZIE. I understood the Minister of Justice (Mr. Fitzpatrick) to say that he would reconsider the matter of the judges of the Halifax district and of district No. 7. I certainly think the salary should be more than $3,000.

Mr. FITZPATRICK. There are three or four county court judges who were in receipt of different salaries from those drawn by the other judges. I forgot the cases of these three or four judges. I shall have to consult my colleagues, and shall probably be able to make a statement this afternoon.

On the paragraph,

New Brunswick.—The judge of the County Court of the city and county of St. John, $3,000 per annum ;
Five other County Court judges, each, $2,500 per annum during the first three years of service, and after three years of service, each, $3,000 per annum.

Mr. STOCKTON. Judge Forbes, of St. John, would hardly be benefited by this, as he has now $3,200 a year. I think it was intended that he was to get $3,500 a year. The amount here given must be a clerical error. This county court judge does as much as any other three county court judges in New Brunswick.

On the paragraph,

Prince Edward Island.—The judge of the County Court of Queen's county, $3,000 per annum ;
Two other County Court judges, each, $2,500 per annum during the first three years of service, and after three years of service, each, $3,000 per annum.

Mr. LENNOX. Mr. Chairman, did you read $3,500 or $3,000 with reference to judge of the county court of Queen's county ?

The CHAIRMAN (Mr. Campbell). I read $3,000.

Mr. LENNOX. It is $3,500 in the resolution before me.

Mr. CHAIRMAN. That was changed in the resolution I have here.

On the paragraph,

That there shall be paid in lieu of all travelling allowances heretofore authorized, to each judge, whether of a Superior or County Court, in addition to his moving or transportation expenses, the sum of six dollars for each day during which he is attending as such judge in court or in chambers at any place other than that at which he is by law obliged to reside.

Mr. LENNOX. Does that apply to judges holding what we call in Ontario division courts ? In every county we have a number of division courts. In a county like Simcoe, we have twelve places where such courts are held, and, in the large places, they are held every month. Would this apply in such a case ?

Mr. FITZPATRICK. The judge gets $6 per day, except where the division court is held at the county town or at his place of residence.

Mr. LENNOX. Have the judges been getting that amount or is this a new provision ?

Mr. FITZPATRICK. The judges have been getting $200 a year each for travelling expenses. We hope that this will be a reduction.

Mr. R. L. BORDEN. If the judge has to attend court in twelve places in each of which court is held every month, it will hardly be a reduction.

Mr. LENNOX. In the county of Simcoe, there are twelve places in which these courts are held, and in some of them court is held every month, but not in all.

Mr. R. L. BORDEN. It might be advisable to insert some limiting provision there.

Mr. FITZPATRICK. Mr. Chairman, I shall be glad if you will allow this Bill to remain in committee until after three o'clock. I will consider the matter, and I may propose that in no case shall the allowance to a county judge exceed the present allowance, $200.

On the paragraph,

That no judge hereinbefore mentioned shall, either directly or indirectly, as director or manager of any public corporation or firm, or in any other manner whatever, engage in any occupation or business other than his judicial duties ; but every such judge shall devote himself exclusively to such judicial duties.

Mr. BERGERON. Is provision made stating what will happen in case of any judge occupying a position as is here referred to and not resigning that position ?

Mr. FITZPATRICK. No. If there is any judge who would require that we should impose a penalty upon him if he fails to com-

ply with the clear letter of the law, he is not dealt with under this measure. The judges must be supposed to have sufficient respect for themselves and for the positions they occupy that when parliament attaches a condition to the salary that is paid them, they will comply with that condition if they accept the salary.

Mr. BERGERON. But suppose they do not ?

Mr. FITZPATRICK. I should imagine that their characters and their own dignity would be a sufficient guarantee that they would carry out this provision.

Mr. LENNOX. I understand the minister to be of the opinion that it is not desirable that judges should engage in private trading or in any other occupation beyond what was defined clearly yesterday. I am not sure that this clause will have the effect in itself of preventing a judge, as a matter of law, from engaging in work outside his official duties. It will prevent a judge from acting as a director, or a manager of any public corporation or firm, or in any other manner whatever engaging in any occupation or business other than his judicial duties. But there is a good deal of range between that expression 'having an occupation or business outside of his judicial duties,' and what might be called a casual or infrequent employment of his time in conducting arbitrations for private parties. In reference to what the minister said a minute ago, it may be that even if this does not legally effect all we desire, a clear intimation such as is here contained, with a distinct expression of the opinion of the Minister of Justice, may have the effect we desire. I do not want to treat the judges as if they were not men of the highest honour, for we must treat them as such, as a rule. But we are now increasing the expenditure of the country, and I would like it made absolutely clear that the judges shall not be allowed, as they have been in the past, to engage in outside occupations to the detriment of their exclusive devotion to the public interest. I want to see judges paid a reasonable amount for their services the full year, even $5,000 a year if necessary, to pay them for their whole time and ability, because in that way only can we have an efficient service.

Mr. FITZPATRICK. My view is that the first and foremost business of a judge is to perform the duties which he assumes when he takes the oath of office, that is his first and only duty, and a judge ought simply to perform those duties which are assigned to him either by parliament or by the provincial legislature of the province within which he resides. This clause is intended to give effect to that purpose.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

On the paragraph :

There shall be paid, in lieu of all travelling allowances heretofore authorized, to each judge, whether of a Superior or County Court, in addition to his moving or transportation expenses, the sum of six dollars for each day during which he is attending as such judge in court or in chambers at any place other than that at which he is by law obliged to reside.

Mr. FITZPATRICK. I beg to move for leave to amend that clause by inserting after the word 'reside':

Provided that the total amount of such travelling allowances shall not in the case of any district or county court judge exceed the sum of $200 in any one year.

Two hundred dollars is the amount that we now allow a judge for his travelling expenses, but we hope by this provision to decrease the expenditure connected with this matter. This proviso will prevent an increase at all events.

Mr. STOCKTON. Would that apply to the Superior and Supreme Court judges ?

Mr. FITZPATRICK. No, just to district and county court judges.

Mr. GALLIHER. How would that work out, for instance, in Northeast Kootenay ? Suppose a court were held at Windermere in that district; you would have to reach it by team which costs $25 each way. You would have to drive from Cranbrook to Windermere. That would be $50 for your conveyance alone for one trip. A $200 limit might not be satisfactory in a district like that.

Mr. FITZPATRICK. We will try that, and we can amend it another session if necessary.

Clause as amended agreed to.

Progress reported.

SUPREME AND EXCHEQUER COURTS ACT.

Bill (No. 205) to amend the Supreme and Exchequer Courts Act—Mr. Fitzpatrick—read the second time, considered in committee, reported, read the third time, and passed.

ANNUITY TO EX-CABINET MINISTERS.

House again in committee on Bill (No. 203) respecting annuities for certain Privy Councillors.—Mr. Fielding.

The CHAIRMAN (Mr. Campbell). The section, as amended, would read :

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

1. Every member of the King's Privy Council for Canada who has heretofore retired or who

hereafter retires from office after having served as Prime Minister or as a minister and head of a department or partially in one or partially in the other of such capacities for the full period of five consecutive years, shall, upon the coming into force of this Act or upon his retirement from office, as the case may be, be entitled to receive, out of the Consolidated Revenue Fund of Canada, an annuity equal to one-half of the salary attached to his office or position at the time of his retirement. Provided that, if any person receiving an annuity under this Act becomes entitled to any other annuity, pension, or allowance, whether federal or provincial, under the Crown or to any salary or allowance in respect of any position or office of emolument, whether federal or provincial, under the Crown or to the additional sessional allowance provided for the leader of the opposition in the House of Commons, the annuity hereby provided for shall from time to time be reduced by the amount of such other annuity or such pension, salary, or allowance.

Bill, as amended, reported, read the third time, and passed.

JUDGES OF PROVINCIAL COURTS—SALARIES.

Hon. W. S. FIELDING (Minister of Finance). Mr. Speaker, the Minister of Justice explained to the committee this morning that in the resolutions respecting the salaries of judges several omissions had inadvertently taken place. It will be necessary to deal with the matter by way of a separate resolution, which if approved by the House, then may be incorporated in the Bill. I therefore beg to move that the House go into committee to consider the following proposed resolution :

Resolved, That it is expedient to amend the resolution of 17th July in regard to amending the Act respecting the judges of provincial courts as follows :

Salaries of judges of Superior Court, Northwest Territories.

The chief justice of.. .. ..
Seven puisné judges, each $6,000

Salaries of County Court judges.

Ontario—
The senior judge of the County Court of the county of York, per annum.. $3,500

Nova Scotia—
The judge of the County Court of the county of Halifax, per annum.. .. $3,500

New Brunswick—
The judge of the County Court of the county of St. John, per annum.. .. .. $3,500

British Columbia—
The judge of the County Court of the county of East Kootenay, per annum.. $3,500

Motion agreed to, and House went into committee on the resolution.

Mr. R. L. BORDEN. As far as the Supreme Court of the Territories is concerned, it now consists of a chief justice and five puisne judges. You are providing here for a chief justice and seven puisne judges. Are they to be appointed under some statute we have passed?

Mr. FITZPATRICK. Under this statute. There are now six judges for the Territories—five puisne and one chief justice. When the provinces are organized, there will be three judges in each province. The expectation is that each province will require four judges as there are no county court judges there at all. We are making provision to enable us to appoint one additional judge for each province, one of whom shall be a chief justice.

Mr. STOCKTON. You do not provide a salary for the second chief justice ?

Mr. FITZPATRICK. No.

Resolutions reported, read the second time and agreed to.

House again in committee on Bill (No. 204) respecting the judges of provincial courts.—Mr. Fitzpatrick.

Bill, as amended, reported, and read the third time and passed.

WAYS AND MEANS—THE FRANKING PRIVILEGE.

Hon. W. S. FIELDING (Minister of Finance). I move that the House go into Committee of Ways and Means for the purpose of dealing with the Supply Bill.

Mr. O. E. TALBOT (Bellechasse). Before that motion is carried, I would like to draw your attention, Mr. Speaker, to the continuance of a grave abuse concerning which complaints have been made in this House, and which I thought had been put a stop to—the circulation of all sorts of circulars under the frank of hon. members of this House. I have here an illustration in the form of a document which I will read. This document is issued by the Club Jacques Cartier—of which we have heard something since the beginning of this session—under the frank of certain hon. members of this House. It has been distributed in this way in the province of Quebec by thousands of copies :

(Translation.)

DIRECTORS.

Dr. Sévérin Lachapelle,
R. H. Pope,
G. N. Sévigny,
Edouard Gohier,
Milton McDonald,
Dr. C. Bernier,
Henri Trudel,
Arthur Prieur,

CLUB JACQUES-CARTIER (Limited),
46 St. Vincent street.

Telephone Bell main 514.
Merchants 432.

Montreal, 1905.

Dear Sir,—The Jacques-Cartier Club will soon be two years old and thinks it can boast of two years of successful achievements.

Thanks to the many worthy efforts which have multiplied in its midst, it has performed profitable tasks, the effect of which cannot be but lasting and fruitful. This institution is entirely impersonal and for the people ; it has received on an absolutely equal footing all the friends of the Conservative cause, for which it has constituted itself a rallying and recruiting centre. It has unceasingly supervised the revision of the lists and worked with great activity to the organization of the various campaigns, and it keeps on persistently advocating the moulding of the studious youth to the discussion of public questions.

Only recently it took upon itself to disseminate all through the province the petitions begging to keep in their entirety in the Autonomy Bill for the new provinces of the west, the educational clauses with their high sense of equity and justice. Notwithstanding all that may have been said, it was accentuated by the sole and sincere purpose of protecting the right of the French Canadian and Roman Catholic minority in the new provinces. What occurred since shows beyond a doubt the expediency of that solemn protest against the spoliation which now threatens our brethren and co-religionists of the west.

The Club Jacques-Cartier is receiving to-day many evidences that it is deserving of the great Conservative party, the noble traditions of which it is the exponent. These evidences are prized very highly, all the more because of the present disturbed conditions, when the cause of this great party requires more enlightened patriotism and more active and disinterested self-sacrifice.

So that the club necessarily trusts in all the friends of the cause to help him keep on upholding without fear the work it has undertaken, and also to keep on mercilessly and unceasingly vindicating the rights of our nationality in this country of ours.

In order to furthering the development and ensuring the success of our sacred cause, the club appeals to all its friends so that when success favours us, we shall all claim together with pride a part of the triumph.

The regulations for all clubs is that a fee shall be imposed and we cannot but follow the rule. We have reduced the original fee of $5 per year to the nominal fee of $1 only, the amount of which is out of proportion with the many advantages offered by the club. It affords its members large reading and convocation halls, visited by the leaders of the party and the business men both from the city and the country, which tend to make it a very desirable centre of information, not only for political purposes, but also for matters agricultural, commercial and professional. It also affords a good table at 25 cents a meal and comfortable bedrooms at the moderate rate of 50 cents. Taken all in all the club is faultlessly kept, it affords its friends a family hospitality amidst pleasure and good company. It is the party's house, and every one is at home in it. Useless it is to state that its receipts are affected exclusively to its own use and that nobody derives any benefit from it.

We beg you to join with us and come increase our already numerous lists. Upon receipt of $1, we shall send you your admission ticket. We send you herewith a few blank forms for yourself and others of your friends whom you may be able to induce to follow your example. If however, circumstances should keep you from joining forthwith, we will invite you very cordially to call at the club when you come to Montreal, and rest assured that your stay among us will be appreciated by all. This is why we inclose you a few identification tickets.

For further information, the club is at Nos. 43 and 45 St. Vincent street, formerly the Richelieu hotel, a few steps off Notre Dame street. It goes without a say that we have full accommodation for all our friends.

Undoubtedly it is useless to remark that there is no connection whatever between the Club Jacques-Cartier and the Hotel Jacques-Cartier, which went out of business last March.

Yours truly,

ELIE MAURAULT,
Secretary.

P.S.—We have also forwarded the inclosed circular to the following gentlemen of your parish :

Annexed to the above is the following little note :

(Translation.)

Joseph Letourneux, treasurer,
Dr. A. A. Bernard, president,
Elie Maurault secretary.

CLUB JACQUES-CARTIER (Limited),
Capital authorized : $20,000.
Telephone Bell main 514. Merchants 432.
43 and 45 St. Vincent street, Montreal.

/.. .. ..190.. ..

I, the undersigned, wish to become a member of Club Jacques-Cartier and bind myself to pay the annual fee of $1.

Name.. .. ..
Address.. .. ..
.. ..

Witness.

I do not see anything in this to make it in any sense a parliamentary document ; and I do not think the distribution, under frank of hon. members of this House, of thousands of copies of a circular relating to what is a commercial as well as a political enterprise, should be allowed. I draw your attention to the facts.

TRANSFER OF METEOROLOGICAL SERVICE.

Mr. R. L. BORDEN. I would like to know whether or not the government has any information as to the removal of the meteorological observatory from Toronto to Ottawa ? I believe that my hon. friend from North Toronto (Mr. Foster) made some inquiry in regard to this matter and that an answer was promised. He requested me to bring the matter up.

Hon. W. S. FIELDING (Minister of Finance). I think I stated to-day that the Minister of Marine and Fisheries (Mr. Préfontaine) would make a statement on this subject before prorogation, but was not ready to do so at the moment.

Motion agreed to, and House went into Committee of Ways and Means.

Mr. FIELDING. A portion of the supplies granted during the present session of parliament has already been dealt with by a Supply Bill; the various items which remain have been collected by the proper officers of the House and are found to amount to $160,436.66 as respects the year ending 30th June, 1905, and to $25,794,975.45 for the year ending 30th June, 1906. Resolutions have accordingly been prepared by the proper officers of the House, covering these amounts, and I now beg to move that these resolutions be agreed to.

Motion agreed to, and resolutions reported.

SUPPLY BILL.

Mr. FIELDING moved for leave to introduce Bill (No. 206) to grant to His Majesty certain sums of money for the public service for the financial years ending respectively 30th June, 1905, and the 30th June, 1906.

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

Mr. FIELDING. This Bill has been prepared by the law clerk of the House, and his initials certify that it is in accordance with the resolutions which have been agreed to from time to time in the committee, and is in the usual form.

Mr. R. L. BORDEN. It contains in detail the various items already passed in Committee of Supply and that have not been included in previous Supply Bill?

Mr. FIELDING. Yes, the clauses are in the usual form.

Bill reported, read the third time and passed.

Sir WILFRID LAURIER. I have to state to the House that perhaps His Excellency will prorogue the House to-morrow. But in view of the fact that the Senate is still engaged on some important measures, it is not possible to say for a certainty that His Excellency will come down to-morrow. There being no more business before us, I move that the House do now adjourn.

Motion agreed to, and House adjourned at 4.05 p.m.

HOUSE OF COMMONS.

WEDNESDAY, July 19, 1905.

The SPEAKER took the Chair at Eleven o'clock.

OFFICIAL REPORT OF THE DEBATES.

Mr. J. A. C. ETHIER (Two Mountains). Mr. Speaker, I understand that the Debates Committee has presented a report to the House known as its seventh report, and Mr. Gervais, who is the chairman of the committee, is not now in the House. I was the seconder of the motion in the committee, and I shall therefore move on his behalf, seconded by Mr. Béland, that the seventh report of the Debates Committee be adopted.

Sir WILFRID LAURIER. I must object to the adoption of this report upon the ground that it is a money recommendation.

Mr. T. S. SPROULE (East Grey). I think the proposal of the Debates Committee is radically wrong, anyway. The government, who are charged with the responsibility of government, should have the power of making increases of salaries, and the Debates Committee may very properly recommend to the House, without actually taking it into their own hands, to give an increase of salaries and, of course, expend money without any proper parliamentary authority.

Mr. ETHIER. This report was adopted by the Debates Committee, and there is a motion before the House which the hon. member for St. James was to move this morning, but he is absent. I was the seconder of the motion, and I was only doing my duty in presenting it to the House. I have no objection that it should not be accepted, inasmuch as the Prime Minister says 'No'; but I must remark that the report was made on the 12th of July last. I make the motion so that the matter may be before the House. There is another motion which will come up in the near future regarding the salaries of the reporters, and I have no objection to that; but I am now only moving the report dealing with the translators.

Sir WILFRID LAURIER. I raise the point of order that the motion cannot be entertained as the recommendation must come from the Crown.

Mr. R. L. BORDEN. That is very likely correct so far as the actual proposal for a money vote is concerned, but I do not know that a mere abstract recommendation of the committee would come within that rule. It is to be observed, however, that I think the same rule would apply to the Board of Internal Economy, who are making recommendations in the same direction.

Hon. L. P. BRODEUR (Minister of Inland Revenue). It is provided by law that the Board of Internal Economy may do so.

Mr. R. L. BORDEN. Is it?

Mr. BRODEUR. Yes; all questions pertaining to the administration of money voted for the House of Commons is under the control of the Internal Economy Commission.

Mr. R. L. BORDEN. If it is so, there is an end to the question. I shall, however, be a little surprised to find that the Internal Economy Commissioners have authority to propose new money appropriations to the House; they may deal with the money already appropriated by parliament.

Mr. BRODEUR. That is so.

Mr. R. L. BORDEN. That does not touch my point. I say that unless there is express statutory provision, the Board of Internal Economy—which, after all, is only a committee of this House, and to which members of the government are appointed because they are members of this House—the Board of Internal Economy has no more power to recommend money votes to this House than has the Debates Committee. That is my point.

Mr. BRODEUR. Under the law the Board of Internal Economy is not a committee of this House, but is appointed by the government, and has to deal with the expenditure of the money voted by the House of Commons. The board is not to make any report to the House of Commons, but there is certainly no objection that a report should be made to the House; and, in fact, last year a report was laid on the table with regard to the salaries of all the employees of the House. I fully agree with the hon. member for East Grey (Mr. Sproule) that all recommendations made by the committee for money grants are absolutely illegal. The recommendation should come through the Board of Internal Economy to the government, and the government will make a recommendation then to parliament for the voting of the money.

Mr. R. L. BORDEN. So long as it comes by way of the government and has the assent of the Crown, it is all right; but so far as the powers of the Board of Internal Economy are concerned, they have no more authority to initiate a money vote than has the Debates Committee. That function pertains exclusively to the government. The Board of Internal Economy cannot communicate with the Crown; the government can alone communicate with the Crown and obtain the consent of the Crown to any money votes. If the resolutions of the Board of Internal Economy are simply intended as recommendations to the government, that of course does not transgress the constitutional rule to which I have alluded. I have never examined very carefully the statute with regard to the Board of Internal Economy; I am trying gradually to find out something about that interesting body, but for the present it is not necessary to raise that. The point the Prime Minister has taken is that the House cannot initiate a money vote. They cannot initiate a money vote but resolutions could be passed by this House of an abstract character with regard to a money vote. That is the rule as I remember it. Any resolution of this House—and the same rule would apply to a committee—of a concrete character with regard to a money vote is out of order, but a resolution could be moved of an abstract character regarding the appropriation of public moneys. I have not examined the report of this committee and I do not know whether the recommendation would be regarded simply as of an abstract nature or whether it is in a concrete form. If it is in a concrete form, of course there is no question about it, the government must initiate that, and the consent of the Crown must be obtained. If the report is of that character it would be absolutely out of order.

Mr. STOCKTON. I think the point is covered by the clause of the British North America Act that any resolution, motion or recommendation, involving the expenditure of public money must first receive the recommendation of the Crown.

Mr. R. L. BORDEN. That is the old constitutional rule.

Mr. H. GERVAIS (St. James, Montreal). With the permission of the House, may I be allowed to give a few words of explanation, as I am the chairman of the Debates Committee. The Debates Committee, a few days ago adopted what is called its sixth report recommending to this House an increase of salary of $500 to each of the official reporters. This report was presented to the House on July 13, 1905, and about the same date I gave notice of a motion for the adoption of the same report. Then later on, at the special request of the members of the Debates Committee, I presented the seventh report of that committee which is the report recommending this House to grant an increase of salary to members of the staff of French translators. For certain reasons, I did not feel my way clear to move for the adoption of these reports; I am not at liberty to say why I did not move for their adoption. I thought it would serve the interest of everybody not to press the adoption of these two reports, but I am in the hands of the committee as well as in the hands of the House. I owe it to myself to offer these words of explanation.

As to the question of order, I would like to quote to the House the opinion of Bourinot, which is to be found at page 296 of the 3rd edition of his work on Parliamentary Procedure and Practice in the Dominion of Canada, 3rd edition, edited by Dr. Flint, the present clerk of the House. I find there:

> Since then the debates have been reported by a staff of reporters paid by the House, and published in a form similar to that of the English

'Hansard.' The reports are, as a rule, very correct, and a decided improvement upon the partial, imperfect reports in the newspapers to which the members were previously obliged to refer. Any one who has to gather the materials for a political work, or to find precedents of old parliamentary usages and procedure in this country, must see the value of such a correct record as is afforded by the several series known in England as 'Hansard's Debates.'

In a footnote on that page I find this :

The Commons' Committee on Debates recommend to the House the appointment, salaries and duties of the official reporters, and in fact make all the arrangements necessary for the satisfactory operation of the system. Their reports, when adopted, are the rules governing the publication of the reports.

Sir WILFRID LAURIER. Hear, hear.

Mr. GERVAIS. And then you find at page 296 many precedents going to show that the Committee on Debates has within its province the hiring of amanuenses, shorthand writers, translators, &c., the fixing of their salaries and the determining of their duties. I think it is in accordance with sound parliamentary law that any committee of the House when it is appointed to do this and that thing should have all the necessary power to put into execution the mandate of the House of Commons. This question of order was raised years ago and I may say it has been held over and over again by this House that it belongs to the Debates Committee to recommend increases of salary, &c., as far as reporters and translators are concerned. For instance as far back as 1884, I find that on page 1240 of the House of Commons' Debates these words :

Official Report of Debates.

Mr. WHITE (Cardwell), from the Select Committee appointed to supervise the official report of the debates of this House during the present session, presented the following as their fifth report :

That as the contracts for the printing and binding of the official report of the debates of this House expire with the work of the present session, and as the contractors have expressed in writing their willingness to accept an extension of their respective contracts for another session on the same terms and conditions, as those of the present contracts ; the committee recommend that the same be extended accordingly.

The committee had under consideration the question of the translation of the official report of the debates of this House, and have decided to recommend :

Mr. SPROULE. I think that is all right ; they can recommend, but it is for the government to act upon it and adopt it or not as they like.

Mr. GERVAIS (reading).

1. That commencing with next session, with the object of securing the more prompt delivery of the daily French edition, the English proofreader be required to prepare for the use of the translators, a fair copy of the daily sheets of the debates as revised and corrected by members for the bound edition, and that thereafter the translation be performed from such revised daily sheets.

2. That the chief translator be required to keep a record of the daily work performed by each member of the translating staff, which record shall show the translation performed, and be signed by each translator and certified to by the chief, and filed every Saturday with the clerk of the Commons.

3. That the appointment of Messrs. Bouchard and Lassalle, as additional translators, for the work of the present session remaining to be done be continued and made permanent.

4. That Mr. A. E. Poirier be appointed as an additional translator and that his appointment date from the commencement of next session.

The fifth is the important section of the report. It is as follows :

5. That commencing with next session the salaries of the translators be as follows :

A. Gelinas, chief translator..		$1,200
N. H. Beaulieu, assistant translator..		1,000
E. Tremblay	"	.. 1,000
R. Tremblay	"	.. 1,000
J. B. Vanasse	"	.. 1,000
J. Bouchard	"	.. 1,000
J. Lassalle	"	.. 1,000
A. E. Poirier	"	.. 1,000

And that in addition to the work of translation, the chief translator be required to make the index.

Mr. STOCKTON. Will the hon. gentleman allow me to call his attention to section 54 of the British North America Act ?

It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address or Bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended to that House by a message of the Governor General in the session in which such vote, resolution, address or Bill is proposed.

Mr. GERVAIS. I understand quite well that it is a fundamental principle of the British constitution that all money expended should come by way of resolution submitted by the government, but on the other hand, as far as this parliament is concerned, it has been the practice to allow committees to make recommendations for the payment of money. If I might be permitted, I would quote an opinion expressed by the right hon. the leader of the government in 1891, which will be found at page 5942, volume 3 of the debates of that year. The point of order was raised by Sir John Thompson, then First Minister against the adoption of a report for the Debates Committee, and the right hon. gentleman then said-:

I believe that the point of order just taken by the Minister of Justice is not well taken. At least there are numerous precedents to the contrary, and I believe the House can vote any money it pleases to carry on its own business.

Sir WILFRID LAURIER. But I was overruled.

Mr. GERVAIS. Sir John Thompson later on in the debate withdrew his point of order and the report of the Debates Committee was concurred in. Time and time again reports of the Debates Committee recommending the payments of money have been concurred in by this House. In view of our practice and precedents, I think that the point of order might well be waived, as it was by Sir John Thompson on the occasion I have referred to, and the report agreed to. With regard to the propriety of making the increase, I think there is but one opinion on both sides. We have a staff of official reporters, who are cultured and expert newspaper men. They have not had an increase in salary since 1884 although they have always worked efficiently and arduously and their work has always met with the approval of the House. I do not believe that you will find either in England, France or the United States a more efficient staff of reporters than those of the Canadian parliament.

Sir WILFRID LAURIER. And the translators as well.

Mr. ETHIER. I think the translators are worth just as much as the reporters.

Mr. GERVAIS. I am in sympathy with the hon. gentleman's remark and propose to deal with the translators shortly. But speaking of the reporters, I might quote the opinions expressed by some of our best British parliamentarians on the character of their work. I do not propose to take up the time of the House by giving many citations, but I simply draw attention to the following opinion expressed in a debate in the Imperial House of Commons on August 3rd, 1899 by Mr. Lewis member for Flint Burghs :

> In the case of Canada each member of parliament finds on his breakfast table an official report of the parliamentary proceedings of the previous day. Why cannot the imperial parliament give to its members what the Dominion government gives to its members ? In what respect do the circumstances of the two parliaments differ ? When we last discussed this the honourable member who spoke on behalf of the government seemed to be under the impression that the hours of the Dominion parliament were very different from our own, but I have found on careful inquiry and by an examination of the official reports that the Canadian parliament sits quite as late as our own—and indeed very much later. Notwithstanding this fact and the additional fact that the proceedings are conducted in two languages, members get the report of the proceedings on their breakfast table the next morning. If this can be done in Canada why cannot it be done in London ? Are our printers less enterprising ? Is it a matter of expense ? Then surely if the Dominion parliament can afford it the imperial parliament ought to be able to do so. It would be a great advantage to honourable members to be able to secure the answers to questions and to keep themselves au courant with the proceedings of the House. Are there not other directions in which economies might be made, &c., &c., &c.

With regard to the translators, they certainly deserve equal praise.

Mr. ETHIER. They do not ask the same amount. They are asking $500 less than the others.

Mr. GERVAIS. In previous years we had many complaints about delays in the transfation of our debates—complaints dating as far back as 1890 and even 1885. I find that in this House in 1890, Mr. Casgrain complained on the 8th of May, 1890 that the debates of the month of March of that year had not yet been translated. We also had many complaints about the accuracy of the translators. To-day, however, all that is changed, and we have a condition of affairs which I might call perfect. Throughout this session the French translation has been done from day to day. At this very moment the debates of yesterday have all been translated and revised and are in the hands of the King's Printer. This, I think, is the first session in the history of this House when the debates have been translated so quickly and accurately. That is an additional reason why the petition of the translators should be granted. And after all what will the total increases amount to ?

Mr. SPEAKER. The hon. gentleman is not discussing the point of order.

Mr. GERVAIS. Well, according to rule 12 a member called to order shall sit down but may afterwards explain and the House shall decide in the case but without debate. If there be no appeal the decision of the chair shall be final. I may be technically out of order, but I would appeal to the practice of this House under which the reports of the Debates Committee calling for expenditure have been adopted.

Sir WILFRID LAURIER. The rule is absolute that all charges must be prefaced by a recommendation of the Crown. There is no exception to that rule. On certain occasions, as my hon. friend has pointed out, the reports of the Debates Committee have been concurred in and this rule was not observed, but the reason was because the point of order was not taken. The House sometimes does not insist on its rules. For instance during the last two days we have been proceeding without much regard to them. But in this instance I have taken the point of order. If I have done so it is not because of malice aforethought but because I understand there is a difference of opinion as to how the reporters should be dealt with, and it is only right, before the House takes any action, that this difference should be settled. When it is settled, the House will be ready to increase the salaries of the reporters and also those of the translators, but until then we can take no action. We could not decide on the salaries of the translators and leave aside those of the reporters.

Mr. J. G. H. BERGERON (Beauharnois). Who will decide that point ? I think that a very serious question is involved. The direction of the reporters and translators of the debates has been the business of the Debates Committee. This is a committee of the House of Commons, and, by working there through this committee, the House of Commons has retained to itself the privilege of controlling the report of the debates. I think that without being out of order, I may remind my right hon. friend (Sir Wilfrid Laurier) that this has been the condition of affairs for twenty-five years past—ever since 'Hansard' was established. There seems to be a desire to bring the reporters and translators under the control of the Internal Economy Commission, and the House will not permit that for a moment. Whoever is going to decide this should take into consideration that this matter has always been retained as one of its own functions and privileges by the House of Commons. If it is changed now, it will be a radical departure from the rule that has prevailed hitherto. And not only that, but for the present session, the reporters and translators will be without an increase of salary, which they ought to have.

Mr. SPEAKER. I think the discussion will have to be confined to the point of order.

Mr. GERVAIS. To sum up my views upon this debate, may I be permitted to repeat the old latin saying bonum certamen certavi, for my friends.

Mr. GEORGE TAYLOR (South Leeds). I was not present when the point of order was raised. I have been a member of the Debates Committee for twenty years, and the method followed in this case is the one that has been followed by the committee ever since I first became a member of it. The committee have often made recommendations of this kind. Sometimes, the government has approved, and sometimes they have not. If they did not approve of them the chairman of the committee was notified and we held another meeting and the matter was generally arranged between the government and the committee. Now, this committee has worked as perhaps no other committee has during the past twenty years. Great labour has been involved in bringing the 'Hansard' staff up to its present state of efficiency, and if this matter is taken out of the hands of the committee, you might as well abolish the committee altogether. If the staff is under the control of the Internal Committee it will be useless to appoint a special committee. I think that the rule that has been followed hitherto has worked satisfactorily.

Mr. FIELDING. Your ruling, Mr. Speaker, prevents any discussion on the merits of the question. Therefore, I only wish to say that, so far as the Internal Economy Commission is concerned, there is a misunderstanding. That commission has no desire to take anything away from the Debates Committee. They have not dealt with the matter except upon the suggestion of the Debates Committee. However, I do not wish to enlarge upon that. The point raised by the Prime Minister is the one so forcibly stated by the hon. member for St. John (Mr. Stockton), that there is a distinct provision of the British North America Act that a money vote must be initiated by the government. Votes have been recommended by a committee, but it is in the hands of the government to provide the necessary appropriation. But the Prime Minister has intimated that he is not prepared to do that, and therefore he has taken exception to the motion.

Mr. ETHIER. I moved my motion in the absence of the hon. member for St. James' division, Montreal (Mr. Gervais.) In the orders of the day I saw the notice of motion for the adoption of the seventh report of the Committee on the Debates of the House, and, in the hon. gentleman's absence, I moved the motion, seconded by the hon. member for Beauce (Mr. Béland.) If I am out of order I will move for leave to withdraw my motion. I will follow the rule of the House, as a matter of course. But I would like to inquire why the promoter of the motion was not in the House?

Mr. GERVAIS. If I may be permitted a word of explanation it was because the ministers had given me instructions not to press the motion, and I understand that in these matters of appropriation I am bound, under the rules, to follow their instructions and not my own views.

Motion (Mr. Ethier) withdrawn.

AJOURNMENT—TRANSFER OF METEROLOGICAL SERVICE.

Sir WILFRID LAURIER. The government have nothing before the House to-day and we are waiting on the Senate. From information I have received I do not think that prorogation can take place to-day, and therefore I move that the House adjourn until to-morrow at eleven o'clock.

Mr. R. L. BORDEN. Before the House adjourns I would mention the absence of certain information that was to have been given in response to a question of the hon. member for North Toronto (Mr. Foster) with regard to the removal of the meteorological observatory from Toronto. I mentioned the matter yesterday afternoon, and I understood that the information was to be given this morning by the Minister of Marine and Fisheries (Mr. Prefontaine.)

Sir WILFRID LAURIER. I will have it for to-morrow sure.

PROROGATION.

Mr. R. L. BORDEN. I understand that there is no announcement on the subject of prorogation except that it cannot take place to-day. The right hon. gentleman (Sir Wilfrid Laurier) does not know whether it can take place to-morrow or not?

Sir WILFRID LAURIER. I hope it will take place to-morrow. That is all I can say.

Mr. R. L. BORDEN. There is a certain mild satisfaction in sitting around doing nothing while the Senate is working.

Motion agreed to, and House adjourned at 11.45 a.m.

HOUSE OF COMMONS.

THURSDAY, July 20, 1905.

The SPEAKER took the Chair at Eleven o'clock.

TAX ON COMMERCIAL AGENTS IN QUEBEC.

On the Orders of the Day being called,

Mr. W. F. MACLEAN (South York). Mr. Speaker, I would like to bring to the attention of the government a letter which I received this morning, which is as follows :

Toronto, July 19, 1905.

Mr. W. F. Maclean, M.P., Ottawa.

Dear Sir,—Wish you would query the government what stand they purpose taking with regard to that travellers' tax for the province of Quebec. I represent three English manufacturers, and to continue my trade in that province, have to pay $300 annually on each house I represent. In talking it over with secretary Commercial Travellers' Association they can do nothing, the only way to do is to move to Montreal, there are 500 manufacturers' agents living there, average family say four which would mean 2,000 to leave Toronto, I have written Messrs. Goodall to take the matter up with High Commissioner Lord Strathcona and the colonial secretary ; wish you would look into it and see what you can do about it, the Montreal manufacturers' agents can come up here and solicit trade without any tax being imposed on them.

This is from a gentleman representing a large concern in Toronto, and I have also noticed a great deal of discussion in the press touching this tax which has been imposed in the province of Quebec. I think it is worthy the attention of the government, and perhaps they have some view on the matter which they will be good enough to convey to the country through a statement made here to-day.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister). I have to observe to my hon. friend (Mr. W. F. Maclean) that so far we have not received the statute of Quebec which has been referred to by my hon. friend, but I have seen the complaints in the press. No communication has been received by the government as to the effect of the statute.

Mr. W. F. MACLEAN. But there is a grievance there.

Sir WILFRID LAURIER. We will have to wait until we see the statute.

GRAND TRUNK PACIFIC TERMINALS AT WINNIPEG.

Hon. GEORGE E. FOSTER (North Toronto). Mr. Speaker, on Saturday the Minister of Railways answered some questions with reference to the Winnipeg terminals of the Grand Trunk Pacific and also the letting of contracts on the eastern section, as to the terms of the contract of 1903, whereby there was to be supervision or accordance of action by the company through their engineer. I asked that if there was any correspondence it might be brought down. I understood the minister to say there was no correspondence, but I have reason to believe that there is correspondence with reference to it. Perhaps that correspondence was with the Prime Minister, and he may be able to say whether it will be brought down in answer to the request.

Sir WILFRID LAURIER. I had not observed the question which was asked by my hon. friend (Mr. Foster), and so I am sorry to say I cannot give him an answer now. I can only say that if there has been any correspondence it will certainly be brought down.

TRANSFER OF METEOROLOGICAL SERVICE.

Hon. RAYMOND PREFONTAINE (Minister of Marine and Fisheries). Mr. Speaker, in answer to the question which was put to me as Minister of Marine and Fisheries with reference to the transfer of the meteorological observatory from Toronto to Ottawa, I have to say that nothing has as yet been decided, the whole matter is still under consideration. If, however, the government decide not to build a new observatory on the property on Bloor street, Toronto, granted by the authorities of Toronto University for that purpose, the offices will be transferred to another building either in Toronto or at Ottawa, as may be decided later on.

ELECTION LAW AMENDMENT BILLS.

Mr. R. L. BORDEN (Carleton, Ont.). I introduced two Bills at a very late period of the session, one on July 5th and one on July 10th, relating to the Dominion Elections Act and to the House of Commons. I hardly expected they would be dealt with this session, but I trust the Prime Minister and his colleagues will take this question into

consideration during the recess, as I intend to proceed with these amendments and also with certain other amendments at an early date in the next session. In that connection, I would like to call to the attention of the Prime Minister the fact that there is legislation in the United States forbidding solicitors, being also members of Congress, from practising in or before the departments. If an opportunity had afforded it, I would have liked to have spoken a little more at length on that point during the present session. I merely mention the subject now ; I am not discussing it, but I would like to draw the Prime Minister's attention to the fact that this is a very important statute. It prohibits any man, being a member of the bar or a solicitor, from practising in any department of the government if he is a member of either House of Congress. Under that statute a senator of the United States was fined only the other day in the sum of $10,000 for having disregarded its provisions. I have certain ideas on this subject which I intend to present to the attention of the government and the House of Commons next session, and I mention it now in order that the attention of the government may be directed to the legislation to which I have referred. I think that legislation of some such character ought to be introduced into this Dominion at the very earliest possible moment.

Sir WILFRID LAURIER. With regard to the election law, I think it is advisable that the statute should be reconsidered, and perhaps legislation may be introduced next session upon this subject. At all events, it is my intention to invite the Minister of Justice to look into the matter and advise us upon these points. I do not think there is very much to reform in the election law, but there are some points I think that ought to be altered, that practice has shown to be weak and that can be improved.

The other matter is one to which my attention has never been drawn up to the present. I can conceive that a good deal of abuse may arise from the practice of members of the bar who are also members of parliament acting as solicitors before any department of the government. I do not know to what extent the statute in the United States, to which my hon. friend refers, would clash with the existing law on the subject, but the point is worthy of consideration also.

Mr. R. L. BORDEN. I think the Prime Minister will find it worthy of consideration.

HALF-BREED SCRIP.

Mr. J. HERRON (Alberta). I would like to ask the Prime Minister a question with reference to the settlement of half-breed claims in the west. I mentioned some time ago that there are a great many unsettled half-breed claims in the Northwest Territories, in the district where I live, and I believe myself that some of these people have good grounds for complaint. I believe that a number of them were as much entitled to scrip as others who received it, but through some misunderstanding in representing their claims they were not allowed, and I would like to know if the government intend taking that question up at any time in the future.

Sir WILFRID LAURIER. I would like to know from my hon. friend to what class of half-breeds he refers. It would be a difficult, and perhaps a dangerous, task to undertake to deal with any class of half-breeds unless we know to what class they belong. The claims of half-breeds have been settled long ago, and we have not thought it advisable to depart from the classes which we thought were entitled to scrip. We made an exception some time ago, and it has not met with favour, when we gave to the half-breeds in the United States the same privileges as if they had been residents. If there are half-breeds who come within the classes recognized by law, and who may be entitled to scrip, but who have not received the benefit of the law, they should be dealt with ; but if my hon. friend means that a new class should be opened, it is a matter on which I would like more information than he has given us.

Mr. HERRON. It is the old class of half-breeds ; it has no reference to breeds living across the line, it is people living in our own country, who have always lived there, I supppose Cree half-breeds and Blackfeet half-breeds and people of that class. In my own district there are I think five or six or perhaps more, and their complaint is that when the commission was dealing with that question for the want of information at the time which they might have produced later on, they were not allowed to participate. I believe there are a number of people there who were born in the country and who are legally entitled to scrip. It is not any new class of half-breeds ; it is merely to settle claims here and there.

Sir WILFRID LAURIER. If they are of that character they ought to be dealt with certainly.

Mr. HERRON. That is their character.

GRAND TRUNK PACIFIC CONSTRUCTION.

Mr. J. H. LAMONT (Saskatchewan). I wish to ask the Minister of Railways if there is any truth in the report in the newspapers, that the Grand Trunk Pacific have finally located their line from Winnipeg to the line of railway running from Regina to Prince Albert, and that work has been commenced upon the Grand Trunk Pacific at the Portage ?

Hon. H. R. EMMERSON (Minister of Railways and Canals). I noticed that statement in the newspapers. I do not know as to the correctness of the statement that they have commenced work there, but I do know that a map of the line west of Winnipeg has not been submitted to the Railway Department for the approval of council. If they are working there or if they have commenced construction it is without having approval of any proposed location.

PROROGATION.

Mr. SPEAKER. I have the honour to inform the House that I have received the following communication from the Secretary of His Excellency the Governor General :

Ottawa, July 19, 1905.

Sir,—I have the honour to inform you that His Excellency the Governor General will proceed to the Senate chamber, to prorogue the session of the Dominion parliament, on Thursday the 20th instant, at three o'clock.

I have the honour to be, Sir,
Your obedient servant,
J. HANBURY-WILLIAMS, Colonel,
Governor General's Secretary.

The Honourable the Speaker of the House of Commons.

SOUTH SHORE RAILWAY COMPANY.

Mr. V. GEOFFRION (Chambly and Verchères) moved that the amendment made by the Senate to Bill (No. 149) respecting the South Shore Railway Company and the Quebec Southern Railway Company be concurred in.

Mr. R. L. BORDEN. What is the amendment made by the Senate ?

Mr. GEOFFRION. In my opinion it is practically the same clause as passed the House of Commons, but it is drafted in a different way. The amendment says that the creditors previous to the amalgamation or merger shall be paid by preference on the different roads.

Mr. FOSTER. It is to save all creditors' rights ?

Mr. GEOFFRION. It says that the creditors of the different roads previous to the merger shall be paid by preference on each road.

Mr. PREFONTAINE. It satisfies all the parties interested.

Mr. R. L. BORDEN. That may be, but still we have to exercise a little judgment upon an amendment of this kind. I heard an explanation of it given in this way : that the clause passed in the House of Commons was passed in ignorance of the fact that there have been more than one amalgamation ; that the amendment which we made might lead to some alteration in the liens of the different creditors, and that the amendment made by the Senate is designed to preserve absolutely the rights of all lienholders regardless of any amalgamations that have taken place, so that the rights of any person interested in the road shall exist exactly as they would have existed if these amalgamations (to which the creditors are no parties) had not been made. If that is the effect of the Senate amendment there is no objection to it.

Mr. BRODEUR. That is the effect of it. Under the amendment made by the House of Commons, the creditors, after the amalgamation, might be considered as having been forgotten. The amendment of the Senate is intended to guard the rights of creditors posterior to the amalgamation. A receiver has been appointed and some expenditures have been made in that way by direction of the Exchequer Court, and there might be some doubt as to whether that would cover also these creditors who have been created through the action of the court. The Senate amendment is intended to remove any doubt in the interpretation of the clause and it is absolutely satisfactory.

Mr. R. L. BORDEN. The opinion of these gentlemen and of those who are familiar with the facts is that this preserves the rights of the lienholders, so that each one shall rank in respect of the proceeds of this sale, according to the priority which is his under the law.

Motion agreed to, and amendments concurred in.

INSPECTION OF WATER METERS.

Hon. L. P. BRODEUR (Minister of Inland Revenue) moved that the amendments made by the Senate to Bill (No. 188) respecting the inspection of water meters be concurred in. He said : The amendments made by the Senate in this Bill were made at the instance of the city of Toronto. The Bill as passed by this House provided that the standard of the meter should be the gallon. But is was represented on behalf of the city of Toronto that they were using meters in which the standard was the cubic foot. The Bill was amended accordingly. Another amendment made at the instance of the city of Toronto was with regard to the percentage to the consumer or to the contractor. We provided in the Bill that three per cent should be given in favour of the contractor. The city of Toronto said they did not need that at all. Therefore, the Bill is amended to provide that only consumers shall be protected and no privilege in this respect is provided so far as the contractor is concerned.

Mr. R. L. BORDEN. It is three per cent according to the Bill before me.

Mr. BRODEUR. Yes, it has been reduced from four per cent to three per cent, and

there is no percentage so far as the contractor is concerned.

Motion agreed to and amendments concurred in.

ONTARIO AND MINNESOTA POWER COMPANY.

Mr. JAMES CONMEE (Thunder Bay and Rainy River) moved that the amendments made by the Senate to Bill (No. 86) respecting the Ontario and Minnesota Power Company be concurred in.

Mr. R. L. BORDEN. The amendments seem to be of a very radical character, inasmuch as the Bill we passed has been absolutely done away with and a new one provided in its place. I think that, under the circumstances, a somewhat full explanation of the amendments should be made.

Mr. CONMEE. This Bill passed this House in my absence. Had I been here, I assume, it would have been passed in its present shape. Previous to the passage of the Bill an agreement was entered into between the company and the Ontario government in regard to the development of this water-power. That was in 1904. A year later, that agreement was cancelled and a new agreement entered into, of which, it is alleged by the town of Fort Frances, they had not received notice, and which, they contend, did not protect their rights. The Bill as it was introduced here would have cut out even the principal rights which they did have under the second agreement. Therefore, the Bill was resisted before the committee of the Senate, and amendments were there moved that somewhat restored the rights of the citizens of Fort Frances as they regarded them. But these amendments were not satisfactory. The result of negotiations between the counsel for Fort Frances and the representative of the company here, is an agreement embodied in the Bill as amended by the Senate. Therefore the Bill does protect to the fullest extent the rights of Canadians interested.

Mr. R. L. BORDEN. On whose behalf was the Bill opposed in the Senate ?

Mr. CONMEE. On behalf of the town of Fort Frances. It gives to the Canadian side half the power of the stream and provides that it shall be developed concurrently with the power on the other side. It also gives power to the Court of Railway Commissioners to regulate the terms and conditions, as well, as the methods of distributing power, as well as the decision of all matters of dispute that may arise between the consumers and the capitalists. Therefore, I think, it provides very fair machinery for the protection of the rights of the public. The work is now under way, a large force of men being engaged in the construction of the dam. Permission was given by the Public Works Department for temporary structures preparatory to permanent structures. The work is now going on. It was felt by all concerned that no good purpose could be served by delaying the building, and that it was better to agree to these terms and allow the work to proceed.

Mr. R. L. BORDEN. Were the inhabitants of Fort Frances and vicinity represented before the committee of the Senate ?

Mr. CONMEE. Yes. A deputation was in Ottawa, and its members were heard before the Senate. The deputation was not here when these agreements were actually made ; but they were a party to preparing these agreements, and left here with the statements that they would be satisfied if these agreements were made.

Mr. R. L. BORDEN. That is just what I want to know from the hon. gentleman (Mr. Conmee)—is the Bill in its present form satisfactory to the persons who were opposing it ? In other words is this the result of an agreement between those who were opposing the Bill and those promoting the Bill ?

Mr. CONMEE. The Bill as it stands is satisfactory to the deputation and people of Fort Frances who are interested. And they were represented in the drafting of the agreement by their solicitor, Mr. Kerr, of Blake's firm, in Toronto. Mr. Kerr only left here last night, after the Bill had passed the Senate. He was perfectly satisfied. There was a question how far legislation by this House might go. The Bill stands in this form, to my mind : The company is asking this parliament to give them certain rights, powers and privileges, to build a dam in navigable waters ; and we are attaching to that certain conditions, such as are satisfactory to Canadian interests. That is to say, one-half the power of the stream is retained for use on the Canadian side, unless the committee shall direct otherwise. We had a provision that this might be controlled by the Governor in Council, but it was thought by the parties to the agreement that the Board of Railway Commissioners might relieve that situation. Both parties were agreed to that. I think it a fair condition. It cannot be taken away without the order of the board.

Mr. W. F. MACLEAN. In this connection I would like to direct the attention of the Minister of Finance (Mr. Fielding) to the importance of the Tariff Commission, which he tells us is soon to sit, making an inquiry into the export of power. There is about to take place a large export of power from this country. This is to be based on long leases, which are now being made. In a year or two, should it be deemed good

national policy to control that export of power, it will be pleaded that these agreements have already been made. In view of the great electrical development in immediate prospect in this country, I think the tariff commission ought to give a little attention to it when they go on their peregrinations at an early date. There is no question which they can study with greater advantage to the future welfare of this country, because what is taking place to-day is, as I have said, on the line of a great export of this power into the United States under long terms of agreement. They can make those terms of agreement, but of course the old plea of vested rights will be set up if a subsequent government chooses to interfere with the export. I merely make the suggestion, that I trust the Tariff Commission will go into that question of the export of electricity from our country.

Hon. GEORGE E. FOSTER (North Toronto). I notice that the Bill that passed the Commons declared the company to be for the general advantage of Canada, also fixed its head office, also gave it a capital stock of $3,000,000, dividing it into shares of $100 each. I notice there is nothing of that in the new Bill.

Mr. CONMEE. I may explain that all the clauses of the old Bill that passed the House of Commons are struck out with the exception of the preamble and clause 5. Clause 5 is still embodied in the Bill, but in a somewhat amended form. The reason for that was that this company was under an agreement with the provincial government to build these works and to manage them under a provincial charter; and if they had obtained the legislation they sought to obtain here, making it a work for the general advantage of Canada, I assume they would have cut out the jurisdiction of the provincial law and would have been able to do pretty much as they pleased. That is why these sections were cut out.

Mr. FOSTER. The hon. gentleman nearly missed it, did'nt he ? If he had not happened to come in here at the time he did, this might have gone through both Houses, as it certainly went through this, and would have perpetrated, according to present facts, a condition of a good deal of harm to local interests.

Motion agreed to, and amendments concurred in.

SASKATCHEWAN AND ALBERTA—ROADS AND ROAD ALLOWANCES.

Mr. OLIVER moved that the amendments made by the Senate to Bill (No. 195) respecting Roads and Road Allowances in the provinces of Saskatchewan and Alberta be concurred in.

Mr. R. L. BORDEN. This is simply with regard to the width of the roads ?

Mr. W. F. MACLEAN.

Mr. OLIVER. Yes. There are different widths in different parts of the Territories, and this provides that the special survey shall be of the same width as that of the general survey in that particular part of the country.

Motion agreed to, and amendments concurred in.

At 11.45 a.m., House took recess.

House resumed at three o'clock.

PROROGATION.

A Message from His Excellency the Governor General by Ernest J. Chambers, the Gentleman Usher of the Black Rod.

Mr. SPEAKER :

His Excellency the Governor General desires the immediate attendance of your Honourable House in the Chamber of the Honourable Senate.

Accordingly, Mr. Speaker, with the House, went up to the Senate chamber.

IN THE SENATE CHAMBER.

His Excellency was pleased to give, in His Majesty's name, the Royal Assent to the following Bills:

An Act respecting a patent number 69772, of the Underwood Typewriter Company.

An Act respecting the Huron and Erie Loan and Savings Company.

An Act respecting certain patents of the Underwood Typewriter Company.

An Act to amend the Act respecting the incorporation of Live Stock Record Associations.

An Act respecting the Farmers' Bank of Canada.

An Act respecting the Ontario, Hudson's Bay and Western Railway Company.

An Act respecting the Interprovincial and James Bay Railway Company.

An Act respecting the Edmonton, Yukon and Pacific Railway Company.

An Act respecting the Great Northern Railway of Canada.

An Act respecting the Vancouver and Coast-Kootenay Railway Company.

An Act respecting the Kaslo and Lardo-Duncan Railway Company.

An Act to incorporate the Fessenden Wireless Telegraph Company of Canada.

An Act respecting the Ottawa Electric Company.

An Act respecting the Ottawa and New York Railway Company.

An Act respecting the Northwest Coal and Coke Railway Company, and to change its name to 'The Great West Railway Company.'

An Act to amend the Act respecting the Royal Military College.

An Act for the relief of Philip Vibert.

An Act for the relief of George Pearson.

An Act respecting the inspection and sale of seeds.

An Act to incorporate the Northwest Telephone and Telegraph Company.

An Act to incorporate La Compagnie du Chemin de fer électrique de Trois-Rivières, St. Maurice, Maskinongé et Champlain.

An Act to incorporate the Title and Trust Company.

An Act respecting the Dominion Atlantic Railway Company.

An Act respecting the Manitoulin and North Shore Railway Company.

An Act respecting the Algoma Central and Hudson Bay Railway Company.

An Act respecting the Port and Pilotage District of Quebec.

An Act respecting certain patents of the Ideal Manufacturing Company.

An Act respecting Gillies Brothers, Limited.

An Act to amend the Government Railways Act.

An Act to incorporate the Monarch Bank of Canada.

An Act to incorporate the Sterling Bank of Canada.

An Act to amend the Act of 1899 respecting the City of Ottawa.

An Act to amend the Acts respecting Naturalization and Aliens.

An Act respecting the Grand Trunk Pacific Railway Company.

An Act respecting the James Bay Railway Company.

An Act to amend the Act respecting the Canadian Yukon Western Railway Company.

An Act to amend the Census and Statistics Act.

An Act respecting certain patents of David Thomas Owen.

An Act respecting a certain patent of the Metal Volatilization Company.

An Act respecting the Canada Central Railway Company.

An Act respecting the Brandon, Saskatchewan and Hudson's Bay Railway Company.

An Act for the relief of Isaac Pitblado.

An Act to amend an Act respecting certain patents of William A. Damen.

An Act respecting the Canadian Northern Railway Company.

An Act to incorporate the Edmonton Boom Company.

An Act to incorporate the Provident Financial Association, Limited.

An Act to amend the Bank Act.

An Act to amend the Dominion Controverted Elections Act.

An Act to amend the Northwest Irrigation Act, 1898.

An Act to amend the Seamen's Act.

An Act to amend the Northwest Territories Representation Act.

An Act to provide for the Regulation of Wireless Telegraphy in Canada.

An Act to amend the Revised Statute respecting the Salaries of certain Public Functionaries and other Annual Charges on the Consolidated Revenue.

An Act respecting the Pacific Bank of Canada.

An Act respecting the Saint Maurice Valley Railway Company.

An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.

An Act respecting L'Union Saint Joseph de la cité d'Ottawa, and to change its name to L'Union Saint Joseph du Canada.

An Act respecting the Joliette and Lake Manuan Colonization Railway Company.

An Act to amend the Grain Inspection Act as regards the selection of commercial grades and samples.

An Act to amend the Inland Revenue Act.

An Act to amend the Land Titles Act, 1894.

An Act to amend the Franchise Act, 1898.

An Act to incorporate the International Bridge and Terminal Company.

An Act for the relief of Agnes Hedevig Helga Salusbury Trelawney.

An Act respecting the salary of the First Minister.

An Act to establish and provide for the government of the province of Alberta.

An Act to establish and provide for the government of the province of Saskatchewan.

An Act respecting the powers of the Harbour Commissioners of Montreal.

An Act to amend an Act respecting an arbitration between His Majesty and the Grand Trunk Railway Company of Canada.

An Act to amend the Act respecting the Northwest Territories.

An Act to amend the Militia Act.

An Act respecting the Roads and Road Allowances in the Provinces of Saskatchewan and Alberta.

An Act respecting the Inspection of Water Meters.

An Act respecting the Superintendent of Insurance and the Director General of Public Health.

An Act respecting False Representations to Induce or Deter Immigration.

An Act in amendment of the Criminal Code, 1892.

An Act to amend the Criminal Code, 1892, with respect to appeals from certain summary convictions.

An Act respecting the Senate and House of Commons.

An Act to amend the Supreme and Exchequer Courts Act.

An Act to amend the Customs Tariff, 1897.

An Act to amend the Act respecting the Judges of Provincial Courts.

An Act respecting Annuities for certain Privy Councillors.

An Act respecting the South Shore Railway Company and the Quebec Southern Railway Company.

An Act respecting the Ontario and Minnesota Power Company, Limited.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:

In His Majesty's name, His Excellency the Governor General doth assent to these Bills.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor General as follows:

May it please Your Excellency :

The Commons of Canada have voted the supplies required to enable the government to defray the expenses of the public service.

In the name of the Commons, I present to Your Excellency the following Bill :—

176. An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 30th June, 1905, and the 30th June, 1906.

to which Bill I humbly request Your Excellency's assent.

To this Bill the Clerk of the Senate, by His Excellency's command, did thereupon say:

In His Majesty's name, His Excellency the Governor General thanks His loyal subjects, accepts their benevolence, and assents to this Bill.

After which His Excellency the Governor General was pleased to close the first session of the Tenth Parliament of the Dominion with the following

SPEECH :

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons

In relieving you from this laborious and long protracted session, I desire to express my hearty congratulations on the passage of the two important measures providing for the entry into the confederacy of the provinces of Alberta and Saskatchewan.

The unparalleled increase in the population during the last three years, of the areas the new provinces embrace, affords the strongest evidence that at no distant date they will be the homes of many millions of prosperous and contented people.

The fair prospect of an unusually abundant harvest not alone in the three prairie provinces, but also in other parts of this wide Dominion will, I trust, under a kind Providence, be fully realized, justifying the hope that the stream of immigration now flowing into the Dominion will continue for many years to come, adding wealth to this highly favoured land.

The addition to the number of the permanent force which you have authorized will enable my government to relieve the taxpayers of the United Kingdom from the burden of keeping up the garrisons at Esquimalt and at Halifax.

It is very gratifying to note that the revenue of the Dominion continues to maintain the high level it had reached two years ago, thus enabling my government to meet the increased expenditure chargeable against consolidated revenue, leaving a surplus to apply on capital account.

The numerous Private Bills for industrial objects to which I have assented point to the existence of many new enterprises.

Gentlemen of the House of Commons :

I thank you, in His Majesty's name, for the supplies you have so liberally voted.

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

In returning to your several homes allow me to express the hope that you will find abundant evidences of the growing prosperity and that before we meet again at another session some progress may have been made in the work of constructing the National Transcontinental Railway so soon to become a necessity for the transportation of the annually increasing products of the west.

The Speaker of the Senate then said :

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

It is His Excellency the Governor General's will and pleasure, that this parliament be prorogued until Tuesday, the twenty-ninth day of August next, to be here holden, and this parliament is accordingly prorogued until the twenty-ninth day of August next.

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FIRST SESSION—TENTH PARLIAMENT, 1905.

Abbreviations of well known words and Parliamentary expressions are used in the following :—1°, 3°, First Reading, Second Reading, Third Reading ; 3 m. h., 6 m. h., 6 w. h., Three Months' Hoist, Six Months' Hoist, Six Weeks' Hoist ; *, without remarks or debate ; Accts., Accounts ; Adjn., Adjourn; Adjd., Adjourned ; Amt., Amendment ; Amts., Amendments ; Amalg., Amalgamation ; Ans., Answer ; Ass.; Assurance ; B., Bill ; B.C., British Columbia ; Can., Canada or Canadian ; C.P.R., Canadian Pacific Railway ; Com., Committee ; Co., Company ; Conc., Concur, Concurred, Concurrence ; Consd., Consider ; Consdn., Consideration ; Cor., Correspondence ; Deb., Debate ; Dept., Department ; Depts., Departments ; Div., Division ; Dom., Dominion ; Govt., Government ; His Ex., His Excellency the Governor General ; Hse., House ; H. of C., House of Commons ; Incorp., Incorporation ; Ins., Insurance ; I.C.R., Intercolonial Railway ; Man., Manitoba ; Mess., Message ; M., Motion ; m., moved ; Neg., Negatived ; N.B., New Brunswick ; N.W.T., North-west Territories ; N.S., Nova Scotia ; O.C., Order in Council ; Ont., Ontario ; P.E.I., Prince Edward Island ; P.O., Post Office ; Par., Paragraph ; Prop., Proposed ; Q., Quebec ; Ques. Question ; Recom., Recommit ; Ref., Refer, Referred, Reference ; Rep., Report, Reported ; Reps., Reports ; Res., Resolution ; Ret., Return ; Ry., Railway ; Rys., Railways ; Sel., Select ; Sen., Senate ; Sp., Special ; Stmnt., Statement ; Sup., Supply ; Suppl., Supplement, Supplementary ; Wthdn., Withdrawn ; Wthdrl., Withdrawal ; Y.N., Yeas and Nays ; Names in Italics and parentheses are those of the mover.

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Calvert, Mr. W. S., *West Middlesex.*
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Campbell, Mr. A., *Centre York.*
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Campbell, Mr. A.—*Con.*
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Carvell, Mr. F. B., *Carleton, N.B.*
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Cash, Mr. E. L., *Mackenzie.*
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Chisholm, Mr. T., *East Huron.*
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Woodstock and Lake Huron Ry. Co.'s incorp. (B. 80) 1°*, 1671 (i).

Clarke, Mr. E. F., *Centre Toronto.*
Sovereign Fire Ins. Co. of Canada incorp. (B. 26) 1°*, 493; in Com., 1755 (i).

Clements, Mr. H. S., *West Kent.*
Agricultural Exports and Imports to U.S., &c. (Ques.) 909 (i).
——— Duties paid, &c. (M. for ret.) 3203 (ii).
Apples, Packing and Sale B. 121 (Mr. Fisher) in Com. of Res., 2418 (ii).
Beet Sugar Industry, Encouragement of (M. for copies of cor.*) 3204 (ii).
Budget, on The, 8957 (v).
Chatham Armoury, Contract, Price *re* Erection (Ques.) 587 (i).
Coatsworth Customs Collector, Revenue and Expenditure (remarks) in Com. of Sup., 261 (i).
Franking Privilege, Extension of Time after Prorogation (remarks) 9395 (v).
Hog Plague in Essex and Kent (remarks) in Com. of Sup., 6711 (iv).
Ice Jam on Thames River (remarks) on M. for Sup., 1013 (i).
Imports and Exports, Duties paid, &c (M. for ret.) 3203 (ii).

Clements, Mr. H. S.—*Con.*
N.W.T. Boundary Line, Erection of Wire Fencing (Ques.) 5478 (iii).
——— Fencing Contract, Cor. *re* (read) M. to adjn., 5577 (iii).
——— on Explanation (Sir Wilfrid Laurier) 5696 (iii).
Rural Mail Delivery, Cost of, &c., on M. (Mr. Lennox) for Ret., 2095 (ii).
Seeds, Sale and Inspection B. 7 (Mr. Fisher) in Com., 337, 1181; on Amt. (Mr. Cockshutt) to M. for 3°, 1881 (i).

SUPPLY :

Customs (expenses) 261 (i).
Excise (inspectors' salaries) 1683 (i).
Public Works—Buildings—Ont. (Chatham armoury) 1551 (i).
Quarantine (cattle) 6711 (iv).
Thames River Dredging (remarks) in Com. of Sup., 6872 (iv).
——— Ice Jam (remarks) on M. for Sup., 1013 (i).
——— Lake St. Clair, &c., Surveys, Completion and Cost (Ques.) 590 (i).
Tobacco and Cigars, imported from U.S., Duty paid, &c. (Ques.) 5687 (iii).
Tobacco Industry, Inspection *re* (remarks) in Com. of Sup., 1683 (i).
Veterinary Inspectors *re* Hog Plague, Salaries, &c. (Ques) 1933 (i).
Veterinary Surgeons, Salaries (remarks) in Com. of Sup., 6707 (iv).
Wire Fencing *re* Boundary Line, N.W.T., Erection of, Contract *re* (M.) to adjn., 5578
See 'N.W.T.'

Cochrane, Mr. E., *East Northumberland, Ont.*
Apples, Packing and Sale B. 121 (Mr. Fisher) in Com. on Res., 739 (i).
Ballot Box Frauds in Dom. Elections, on M. (Mr. Porter) to Com. of Sup., 9225 (v).
Binder Twine Industry at Kingston (remarks) in Com. of Sup., 483 (i).
Campaign Literature and Franking Privilege (remarks) 1813 (i).
Census and Statistics B. 5 (Mr. Fisher) in Com., 643 (i).
Customs Tariff Act Amt. B. 190 (Mr. Fielding) in Com., 9764 (v).
Georgian Bay Islands, Sale to Mr. F. W. Grant (remarks) on M. for Sup., 6487 (iv).
G. T. Pacific Ry., Surveys, Rep. in Ry. Dept., &c. (remarks) 2017 (ii).
I.C.R. Traffic Arrangements, &c. (remarks) in Com. of Sup., 2217 (ii).
Murray Canal Inspector, &c. (remarks) in Com. of Sup., 1512 (i).
Murray Harbour Branch Ry. and Hillsborough Bridge, in Com. of Sup., 2163 (ii).
Oats, Rolled, Tariff Changes, in Com. on B. 190, 9764 (v).

Cochrane, Mr. E.—*Con.*
Peterborough Immigrant Homes, Inspection, &c. (remarks) in Com. of Sup., 7696 (v).
Port Colborne Elevator, in Com. of Sup., 1332 (i).
Railway Rates, Discrimination *re* on M. (Mr. McKenzie) to conc. in 4th Rep. of Com., 5015 (iii).
Seamen's Act Amt. B. 147 (Mr. Préfontaine) in Com., 7432 (iv).
Seeds, Sale and Inspection B. 7 (Mr. Fisher) in Com., 335, 363 (i).

SUPPLY :

Arts—Agriculture, &c. (dairying) 6935; Experimental Farms (bulletins) 6926 (iv).
Canals—Miscellaneous (inspectors) 1511 (i).
Canals—Trent (surveys, &c.) 1482 (i); (surveys) 9355 (v).
Canals—Welland (Port Colborne elevator) 1332; (surveys) 1235 (i).
Dom. Lands (homestead inspectors) 9258 (v).
Immigration (agents, G.B., &c., salaries) 7694; (interpreters) 7704 (iv).
Indians—Man. and N.W.T. (live stock) 6540 (iv).
Public Works—Buildings—General (armouries) 1655; N.S. (Antigonish) 1017; (Canso) 1026 (i).
Public Works—Buildings—Ottawa (Printing Bureau) 1575 (i); (Rideau Hall maintenance) 9551 (v); Que. (Montreal Inland Rev.) 1120 (i).
Public Works—Harbours and Rivers—Que. (Anse aux Gris Fonds) 7285; (Chateau Richer) 7292; (Lake St. Peter piers) 6459 (iv).
Railways—G.T.P. (surveys, plans, &c.) 9496 (v).
Railways—I.C.R. (expenditures) 2218; Halifax terminals) 2034 (ii); (ties, &c.) 6431 (iv).
Railways—P.E.I. (Murray Harbour and Bridge) 2163 (ii).
Trent Canal Surveys (remarks) in Com of Sup., 1472 (i).

Cockshutt, Mr. W. F., *Brantford.*
Adulteration of Food, Jams, &c. (remarks) in Com. of Sup., 1718 (i).
Apples, Packing and Sale B. 121 (Mr. Fisher) in Com. on Res., 2423 (ii).
Autonomy B. 69 (Sir Wilfrid Laurier) on Amt. (Mr. R. L. Borden) to M. for 2°, 4580; in Com. on Res. (subsidy) 5550 (iii); in Com. (distribution of seats) on Amt. (Mr. M. S. McCarthy) 7974 (iv).
Autonomy B. 69, School Clauses Amts. (remarks) in Com., 5848 (iii).
Brantford Parade Ground (remarks) in Com. of Sup., 1553 (i).
Brantford Post Office Building (remarks) in Com. of Supply, 219, 860 (i).
Budget, on The., 8936 (v).
Campaign Literature franked by Ministers of Crown (remarks) 1817 (i).
Cement, in Com. on Ways and Means, 8985 (v).
Grass Seeds, Quantity exported (Ques.) 913 (i).
G. B. and Her Colonies, Inter-Imperial Parlt., on prop. Res. (Mr. S. Hughes) 2358 (ii).

Cockshutt, Mr. W. F.—*Con.*
House of Commons, Improvements in Corridors, &c. (remarks) in Com of Sup., 1566 (i).
Indian Schools Establishment of (remarks) in Com. of Sup. 230 (i).
I.C.R., Freight Rates, Increases, &c., on Explanation of Min. of Rys., 6131 (iv).
Letter Carriers, Brantford, &c. (remarks) in Com. of Sup., 217 (i).
Manitoba Voters' Lists, Control of by Dom. Govt. (remarks) on M. for Sup., 6802 (iv).
N.W.T. Boundary Line, Contract *re* Wire Fencing, on M. (Mr. Clements) to adjn., 5590 (iii).
——— on Explanation (Sir Wilfrid Laurier) 5716 (iii).
Permanent Force, Recruiting Points, &c. (Ques.) 5977 (iv).
P.E.I. Winter Mail Service, Delays, &c. (remarks) in Com. of Sup., 2656 (ii).
Provl. Govt. in N.W.T.: *See* 'Autonomy.'
Railway Commission (chairman) B. 36 (Mr. Fitzpatrick) in Com., 1613 (i).
Railway Rates, Discrimination *re*, on M. (Mr. McKenzie) to conc. in 4th Rep. of Com., 5021 (iii).
Rolled Oats, in Com. on Ways and Means, 8984 (v).
Seeds, Sale and Inspection B. 7 (Mr. Fisher) in Com., 329, 1155, 1208, 1793 ; on M. for 3°, (amt.) 1868 (i).
SUPPLY :
Adulteration of Food (Act violations) 1718 (i).
Arts, Agriculture, &c. (experimental farms) 6179 (iv).
Indians—Ont., &c. (schools) 230 (i).
Ocean and River Service (winter mail service, P.E.I.) 2656 (ii).
Post Office (mail service) 219 (i).
Public Works—Buildings—General (armouries) 1657; N.S. (Antigonish) 860; Ont. (Chatham armoury) 1553; Ottawa (H. of C. improvements) 1566 (i).
White Lead, in Com. on Ways and Means, 8983 (v).
Wire Fencing : *See* 'N.W.T.'

Conmee, Mr. J., *Thunder Bay and Rainy River.*
Autonomy B. 69, in Com., sec. 16 (schools) on Amt. (Mr. Bourassa) 8356; on Amt. (Mr. Lamont) 8516 (v).
Ontario and Minnesota Power Co.'s (B. 86) on Sen. Amts., 9817 (v).

Costigan, Hon. John, *Victoria, N.B.*
Campaign Literature, franked by Ministers of Crown (remarks) 1822 (i).
G.T.P. Surveys through Madawaska, N.B., Route, &c. (Ques.) 5688 (iii).
Winding Ledges Power and Boom Co.'s incorp. (B. 101) 1°*, 2108 (ii).
Winding Ledges Power and Boom Co., Cor. &c. (M. for copies*) 9697 (v).

Crawford, Mr. J., *Portage la Prairie.*
Autonomy Bill 69 (Sir Wilfrid Laurier) on Amt. (Mr. R. L. Borden) to M. for 2°, 4607; in Com. on Res. (subsidy) 5562 (iii).
Cement, in Com. on Ways and Means, 8991 (v).
Grain Inspection Act Amt. B. 174 (Mr. Fisher) in Com., 9407 (v).
Lake Manitoba, Closing *re* Fishing, Cor., Pets, &c. (M. for copies) 9698 (v).
Manitoba Voters' Lists, Control of by Dom. Govt. (remarks) on M. for Sup., 6760 (iv).
Ottawa Electric Co.'s B. 12 (Mr. Galliher) in Com., 3172 (ii).

Crocket, Mr. O. S., *York, N.B.*
Alexander Gibson Ry. Co., Purchase, &c. (M. for ret.) 734 (i).
Armoury at Woodstock, Ownership of Land by Govt., &c. (Ques.) 4920 (iii).
Autonomy Bill 69 (Sir Wilfrid Laurier) on Amt. (Mr. R. L. Borden) to M. for 2°, 4532 (iii).
Canada Eastern Ry., Purchase, &c., Cor., Number of Officials, &c (M. for ret.) 734 (i).
——— Inquiry for Ret., 4811 (iii).
Canada Eastern Ry., Roadbed Improvements (remarks) in Com. of Sup., 1978 (i).
'Canadian Citizenship' Political Speech by Min. of Rys. (remarks) in Com. of Sup., 2214 (ii).
Criminal Code (trading stamps) Amt. B. 196 (Mr. Fitzpatrick) in Com., 9435 (v).
Drill Hall, Fredericton, Contract *re* (Ques.) 729 (i).
Fertilizers, Inspection of (remarks) in Com. of Sup., 1726 (i).
Fredericton Military Buildings, Tenders *re* Construction (Ques.) 728 (i).
Fredericton Post Office, Equipment, &c. (remarks) in Com. of Sup., 170 (i).
Fredericton Station Agent, Mr. O. White (M. for cor.) 193 (i).
——— Dismissal, &c. (Ques.) 107 (i).
——— Inquiry for Ret., 698 (i).
Govt. Steamers, Expenditure *re* Repairs, &c. (Ques.) 1349 (i).
Harvey, N.B., Customs Collector, Appnmt. of (Ques.) 9696 (v).
I.C.R., Freight Rates, *re* Fredericton Increases (remarks) 6591 (iv).
——— on Explanation of Min. of Rys., 6123 (iv).
——— remarks *re*, 6588 (iv).
——— Traffic Arrangements, &c. (remarks) in Com. of Sup., 2223 (ii).
Military Buildings, Fredericton, Construction (Ques.) 728 (i).
Pound Net Licenses, Little Current, Cor. between A. E. Dyment, M.P., and Min of Mar. and Fisheries *re* (M. for copies*) 1399 (i).

Crocket, Mr. O. S.—*Con.*

Provl. Govt. in N.W.T.: *See* 'Autonomy.'

SUPPLY:

Adulteration of Food (fertilizers) 1726 (i).
Militia (cavalry corps) 9125 (v).
Post Office (provisional allowances) 170 (i).
Public Works—Harbours and Rivers—N.B. (Campbellton wharf) 1744 (i).
Railways—I.C.R. (Memramcook accommodation) 1977; (Moncton accommodation) 1948 (i); (revenue collections) 2223 (ii).

White, Odbur, Dismissal as Station Agent, I.C.R. (Ques.) 107 (i).
——— (remarks) in Com. of Sup., 2205; Cor., &c. (read) 2206 (ii).
Woodstock Rifle Range, Purchase of Land (Ques.) 5132 (iii).

Daniel, Mr. John W., *St. John City.*

Blair, Mr., Resignation of, Denial *re* Election Speaking, 557 (i).
Bridges, Dr., Resignation as Medical Officer of No. 8 District (remarks) in Com. of Sup., 417 (i).
Budget, on The, 8978 (v).
Census and Statistics B. 5 (Mr. Fisher) in Com., 634 (i).
Dipper Harbour Breakwater, Construction, &c. (Ques.) 912 (i).
Dredging in Mar. Provs., Number of Vessels, &c., (remarks) in Com. of Sup., 6890 (iv).
Fisheries Industry, Commission *re* Investigation, Recommendations, &c., on M. (Mr. Ganong) 6344 (iv).
Fitz-Simmons, Jane Marie Relief B. 130 (Mr. Calvert) in Com. 6378 (iv).
Grand Trunk Ry. Co.'s B. 45 (Mr. Macdonald) in Com., 4220 (iii).
Halifax Garrison, Defence by Canadian Troops (remarks) in Com. of Sup., 9131 (v).
Imports from United Kingdom, Amounts, &c. (Ques.) 267 (i).
Imports under Preferential Tariff, Amount, Value, &c. (Ques.) 152 (i).
I.C.R., Coal purchased, Amount, &c. (Ques.) 910 (i).
——— Freight Arrangements and Traffic Diversion (remarks) in Com. of Sup., 2226; Letter from C. W. Stewart (read) 2227 (ii).
——— Superannuation Scheme (remarks) in Com. of Sup., 2241 (ii).
——— Time Table, Changes and Delays, &c., on M. for Sup., 6827, 6829 (iv).
'Lady Laurier,' Number of Crew at Halifax (remarks) in Com. of Sup., 2616 (ii).
Letter Carriers, Contract *re* Boots, &c., (remarks) in Com. of Sup., 211 (i).
Live Stock Record Association, incorp. B. 148 (Mr. Fisher) in Com., 5926 (iii).
Magdalen Island SS. Subventions, Res. of Mar. Board of Trade (read) 907 (i).

Daniel, Mr. John W.—*Con.*

Mail Subsidy paid to Star Line *re* St. John River (remarks) in Com. of Sup., 181 (i).
Militia Act (permanent force) Amt. B. 170 (Sir Frederick Borden) in Com. on Res., 6986 (iv).
——— on Explanation (Sir Frederick Borden) 6999 (iv).
Ottawa and New York Ry. Co.'s B. 92 (Mr. Pringle) in Com., 5964 (iv).
Preferential Tariff, Imports, Value, &c. (Ques.) 152 (i).
Provident Savings Association incorp. B. 134 (Mr. Gervais) in Com., 5975 (iv).
Quarantine Officers, Examination of Ships, &c. (remarks) in Com. of Sup., 2304 (ii).
Royal Military College Amt. B. 169 (Sir Frederick Borden) in Com. on Res., 6967 (iv).
St. John and Digby Mail Subventions, Res. from Mar. Board of Trade (read) 905 (i).
St. John and St. Martins, N.B., Mail Contract (Ques.) 2776 (ii).
St. John Drill Hall, in Com. of Sup., 1049 (i).
St. John, Halifax and London SS. Subvention, Memorial from St. John Board of Trade (read) 903 (i).
St. John, Halifax and W. Indies Mail Service (remarks) in Com. of Sup., 7183 (iv).
St. Lawrence Navigation, Aids to (remarks) in Com. of Sup., 891 (i).
Settlers' Effects, Duty *re* in Com. on Ways and Means, 8997 (v).
Submarine Signal Bells on 'Lurcher' (remarks) in Com. of Sup., 2873 (ii).

SUPPLY:

Arts, Agriculture, &c. (creameries) 6940, 7015; (experimental farms) 6168 (iv).
Canals—Lachine (enlargement) 6294 (iv).
Culling Timber (salaries) 7236 (iv).
Customs (revenue cruisers) 409 (i).
Dominion Police (salaries) 138 (i).
Immigration (medical inspection) 9241 (v).
Inspection of Staples (grain inspection) 7227 (iv).
Justice—Yukon (court fees) 137 (i).
Labour Dept. (Labour Gazette) 7513 (iv).
Lighthouse and Coast Service (submarine signals) 2873 (ii).
Mail Subsidies and SS. Subventions (France and Can.) 7095 (iv); (G.B. and Canada) 864; (St. John and Digby) 904; (St. John and Halifax) 925 (i); (St. John, Halifax and London) 903 (i), 7087; (St. John and W. Indies) 7176 (iv).
Marine Hospitals (sick seamen) 2686 (ii).
Militia (Dom. arsenal) 7012 (iv); (pay and allowance) 417 (i); (Royal Military college) 7004 (iv).
Miscellaneous (Academy of Arts) 7238; (tuberculosis grant) 7248 (iv).
Ocean and River Service (govt. steamers) 2615; (obstructions, removal) 2647; (schools of navigation) 2643 (ii).
Post Office (letter carriers' boots, &c.) 211; (provisional allowances) 168 (i).

Daniel, Mr. John W.—*Con.*

SUPPLY—*Con.*

Public Works—Buildings—N.B. (St. John drill hall) 1049 (i); (St. John drill hall) 7504 (iv); (St. John immigration shed) 1050; (St. John Quarantine) 1052 (i); Richibucto) 6814 (iv); N.S. (Antigonish) 855 (i); Ottawa (heating, &c.) 6816 (iv).

Public Works—Dredging—Dom. (repairs to vessels) 6890; Mar. Provs. (new plant) 6891 (iv).

Public Works—Harbours and Rivers—N.B. Chance harbour) 7497; (Quaco harbour) 7501; (Salmon river) 7499; N.S. (Shelburne) 7418 (iv).

Public Works—Miscellaneous (Deep Waterways Commission) 6894 (iv).

Quarantine (cattle) 2310; (organized districts, salaries) 2302 (ii).

Railways—G.T.P. (surveys, construction, &c.) 2299 (ii).

Railways—I.C.R. (advertising) 2236; (revenue collections) 2225 (ii).

Transportation Commission, Interim Rep. *re* St. John Harbour, Inquiry for, 2595 (ii).

——— Preliminary Rep. (remarks) 731 (i).

Tuberculosis, Prevention of, on prop. Res. (Mr. Perley) 1358 (i).

Wines, in Com. on Ways and Means, 8984 (v).

'W. S. Fielding' Dredge, Completion and Placing, &c.: Remarks in Com. of Sup., 6891 (iv).

Demers, Mr. L. P., *St John's and Iberville.*

Autonomy Bill 69 (Sir W. Laurier) on Amt. (Mr. R.L. Borden) to M. for 2°, 3450 (ii); on M. for 3°, on Amt. (Mr. Monk) Dual Language, 8839 (v).

Canada Car Co.'s Patent Relief (B. 16) 1°*, 317 (i).

Catholic Mutual Benefit Association B. 93 (Mr. J. J. Hughes) in Com., 2769 (ii).

Criminal Code (trading stamps) Amt. B. 196 (Mr. Fitzpatrick) in Com., 9436 (v).

Effront, Jean, Patent Relief (B. 33) 1°*, 493 (i).

Fish imported into New York, Prohibition of, Legislation *re* on M. for Com. of Sup., 6188 (iv).

Gold Medal Furniture Co.'s Patent Relief B. 102 (Mr. Campbell) in Com., 3399 (ii).

Goodwin Car Co. Patent Relief (B. 17) 1°*, 317 (i).

Hersey, Arthur, Relief B. 167 (M.) to employ Stenographer, 8527 (v).

Ontario and Minnesota Power Co.'s B. 86 (Mr. Campbell) in Com., 3135 (ii).

Ry. Act, 1903 (highway crossings) Amt. B. 2 (Mr. Lancaster) on M. for 2°, 300 (i).

Returning Officers, Instructions *re* Form of Oath at Elections, on M. (Mr. Armstrong) to adjn., 7353 (iv).

Union Labels B. 10 (Mr. Smith, B.C.) in Com., 724 (i).

Derbyshire, Mr. D., *Brockville.*

Apples, Packing and Sale B. 121 (Mr. Fisher) in Com. on Res., 2425 (ii).

Autonomy B. 69 (Sir Wilfrid Laurier) on Amt. (Mr. R. L. Borden) to M. for 2°, 5197 (iii).

Autonomy Bill, on M. (Mr. W. F. Maclean) to adjn., 2203 (ii).

Brockville, Westport and Northwestern Ry. Co.'s (B. 94) 1°*, 2005 (ii).

Cold Storage on Atlantic Steamers, on M. (Mr. Armstrong) to Com. of Sup. 8229 (v).

I.C.R., Freight Rates (remarks) *re* Mr. Taylor's Statement, 6590 (iv).

Postmasters acting as Ret. Officers (remarks) in Com. of Sup., 6245 (iv).

Rural Mail Delivery, Cost of, &c., on M. (Mr. Lennox) for Ret., 2096 (ii).

SUPPLY:

Arts, Agriculture, &c. (experimental farms) 6175 (iv).

Civil Govt.—Post Office (contingencies) 6245 (iv).

Immigration (printing, &c.) 7711 (iv).

Desjardins, Mr. S., *Terrebonne.*

Dairy Products, Classification for Export, &c. (Ques.) 7810 (iv).

Doncaster Indian Reserves, Abolition of (Ques.) 7812 (iv).

SUPPLY:

Public Works—Harbours and Rivers—Que. (Terrebonne) 7394 (iv).

Tison, R. Aimé, Emplymnt. by Govt. (Ques.) 6475 (iv).

Dyment, Mr. A. E., *East Algoma.*

Algoma Central and Hudson Bay Ry. Co.'s (B. 116) 1°*, 2185 (ii).

Algoma Copper Range Ry. Co.'s incorp. (B. 60) 1°*, 1241 (i).

Judges of Provincial Courts (salaries) B. 204 (Mr. Fitzpatrick) in Com. on Res., 9741 (v).

Manitoulin and North Shore Ry. Co.'s (B. 114) 1°*, 2185 (ii).

Ontario, Hudson's Bay and Western Rys. Co.'s (B. 113) 1°*, 2185 (ii).

SUPPLY:

Public Works—Harbours and Rivers—Ont. (Honora wharf) 9597; (Manitoulin wharf) 9598; (Stokes Bay) 9598 (v).

Elson, Mr. P., *East Middlesex.*

Autonomy B. 69 (Sir Wilfrid Laurier) on Amt. (Mr. R. L. Borden) to M. for 2°, 5100 (iii).

London Drill Hall, Sale of, &c. (Ques.) 8384 (v).

Seeds, Sale and Inspection B. 7 (Mr. Fisher) on Amt. (Mr. Cockshutt) to M. for 3°, 1875 (i).

SUPPLY:

Public Works—Buildings—Ont. (London P. O.) 1563 (i).

Quarantine (cattle) 6690 (iv).

Emmerson, Hon. H. R. (Minister of Railways and Canals), *Westmoreland.*

Agents' Dwelling Houses, I.C.R., Policy of Govt. (remarks) in Com. of Sup., 6432 (iv).

Aliens employed at Sault Ste. Marie on Govt. Works, &c. (remarks) in Com. of Sup., 1415 (i).

Alien Labour and Ry. Employees : *See* 'Père Marquette.'

Amherst, Wharf Connection *re* I. C. Ry. (remarks) in Com. of Sup., 9521 (v).

Atlantic and Lake Superior Ry., Amounts paid for Damages (Ans.) 2063 (ii).

——— Rep. of Mr. Mothersill (remarks) in Com. of Sup., 9383 (v).

Atwater Bridge, Lachine Canal, Name of Contractor, Price, &c. (Ans.) 7261, 7422 (iv).

Balsam Lake Waterways, Agreement *re* (remarks) in Com., of Sup., 1524 (i).

Beauharnois Canal Water Power, Negotiations *re* for Electric Lighting (Ans.) 1504 (i).

Burritt's Rapids Locks, Dismissals, &c. (Ans.) 8384 (v).

Canada Atlantic Ry., Purchases, on Inquiry for Papers, 2685 (ii).
See 'Ry. Act. B. 132.'

Canada Eastern Ry., Improvement of Roadbed (remarks) in Com. of Sup., 1978 (i).

——— Purchase, &c., on M. (Mr. Crocket) for Ret. 734 (i).

——— on Inquiry for Ret., 4811 (iii).

——— Total Expenditure *re* (remarks) in Com. of Sup., 1922 (i).

Canada Southern Bridge Co.'s B. 29 (Mr. German) in Com., 1286 (i).

'Canadian Citizenship', Political Speech *re* (remarks) in Com. of Sup., 2214 (ii).

Canadian Fast Mail Service (announcement) 9279 (v).

——— on M. (Mr. McKenzie) to adjn., 9782 (v).

Canal Inspectors, Qualifications, &c. (remarks) in Com. of Sup., 1509 (i).

Cardinal Canal, Claims from Contractors: in Com. of Sup., 1220 (i).

——— Swing Bridge and Wharf (remarks) in Com. of Sup., 1418 (i).

Carillon Canal Fishway, Construction, &c. (Ans.) 2064 (ii).

Charlottetown Ry. Station, Site, &c. (Ans.) 60 (i).

——— on Inquiry for Ret., 4810 (iii).

Coal for Govt. Rys., Purchase from N.S. Mines, Prices, &c. (Ans.) 2191 (ii).

Cornwall Basin Dredging Contract, Amount paid, &c. (Ans.) 588 (i).

Cornwall Canal, Dredging, Contract *re*, Advertising, &c. (Ans.) 686 (i).

——— Employees during Election Campaign: (remarks) in Com. of Sup., 1223 (i).

Emmerson, Hon. H. R.—*Con.*

Cornwall Canal, Extra Employees, during Oct. and Nov. (Ans.) 107 (i).
See 'Williamsburg.'

Cote St. Paul Water Power, Lease to J. Frothingham (Ans.) 3360 (ii).

Criminal Code, 1892 (summary convictions) Amt. B. 66 (Mr. Porter) in Com., 4269 (iii).

Culrute Canal, Litigation *re* Flooding (remarks) in Com. of Sup., 1522 (i).

Drummond Co. Ry., Expenditure *re* (remarks) in Com. of Sup., 1940 (i).

Elevator at Port Colborne, in Com. of Sup., 1266, 1288 (i).

Exchequer Court Act (ry. debts) Amt. B. 59 (Mr. Geoffrion) in Com., 1401 (i).

Fessenden Wireless Tel. Co. of Canada incorp. B. 144 (Mr. Geoffrion) in Com., 6380 (iv).

Fisheries Industry, Commission *re* Investigation, Recommendation, &c., on M. (Mr. Ganong) 6345 (iv).

Fort Lawrence Pier, N.S., Name of Contractors, Amounts paid, &c. (Ans.) 5034 (iii).

Ft. William Telephone System, on Inquiry for Ret., 2685 (ii).

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Foster, Hon. G. E.—*Con.*
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——— Reforms, &c., on M. (Mr. Thompson) to Com. of Sup., 7035 (iv).
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Fowler, Mr. G. W., *King's and Albert, N.B.*
Acetylene Gas Contracts (remarks) in Com. of Sup., 1052-3 (i).
Allan Fast SS. Service, Contract *re* (remarks) in Com. of Sup., 894 (i).
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Blair, Mr., Resignation of, Conspiracy, &c. (remarks) on M. for Com. on B. 36, 535 (i).
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Killam, Judge, Appnmt as Chairman of Ry. Commisson (remarks) on M. for Com. on B. 36, 535 (i).
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Fowler, Mr. G. W.—*Con.*
Silver Coins, Worn, &c., Redemption of (Ques.) 688 (i).
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Gallery, Mr. D., *Montreal, St. Anne.*
Montreal Inland Revenue Building, Addition and Site, *re* (remarks) in Com. of Sup., 1121 (i).
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Public Works—Buildings—Que. (Montreal Inland Revenue) 1121; (Montreal P. O. improvements) 1129; (Montreal P. O., pneumatic system) 1135 (i).

Galliher, Mr. W. A., *Kootenay.*
Anthracite Coal Ry. Co.'s incorp. (B. 136) (M.) to present Pet., 4550; Pet. (presented) 4644; 1°*, 4807 (iii); in Com., 5976 (iv).

Galliher, Mr. W. A.—*Con.*
Autonomy B. 69 (Alberta) in Com. (distribution of seats) on Amt. (Mr. R. L. Borden) 8034 ; on M. for 3°, on Amt. (Mr. Scott) C. P. R. lands, 8795 (v).
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Killam, Judge, Appnmt. as Chairman of Ry. Commission, on M. for Com. on Ry. B. No. 36, 506 (i).
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Northwest Coal and Coke Ry. Co.'s (B. 140) 1°*, 4550 (iii).
Northwest Telephone Co.'s incorp. B. 28 (Mr. Turriff) in Com., 2054 (ii).
Ottawa Electric Co.'s (B. 12) 1° m. 316 ; in Com., 1283, 1888 (i), 2532, 2714, 2951, 2958. 3177; 3° m., 3393 (ii).
Pacific Bank of Canada (B. 175) 1° m., 7420; 2° m., 7625 (iv).
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Seamen's Act Amt. B. 147 (Mr. Prefontaine) in Com., 7438 (iv).
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Galliher, Mr. W. A.—*Con.*
SUPPLY :
Justice—Yukon (law books) 137 (i).
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Western Life Assurance Co.'s incorp. B. 108 (Mr. Adamson) in Com., 4689 (iii).
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Ganong, Mr. G. W., *Charlotte, N.B.*
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Ganong, Mr. G. W.—*Con.*
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Gauvreau, Mr. C. A., *Temiscouata.*
Atlantic, Quebec and Western Ry. Co.'s (B. 13) 1° m., 317 (i).
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Geoffrion, Mr. V., *Chambly and Verchères.*
Exchequer Court Act (ry. debts) Amt. (B. 59) 1° m., 986; in Com., 1399 (i), 2106, 3205 (ii).
Fessenden Wireless Tel. Co. of Canada incorp. (B. 144) in Com., 6380, 6607 (iv).
Montreal and Southern Counties Ry. Co.'s (B. 96) 1°*, 2005 (ii).
Montreal Park and Island Ry. Co.'s (B. 47) 1°*, 728 (i).
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German, Mr. W. M., *Welland.*
Autonomy B. 69 (Sir Wilfrid Laurier) on Amt. (Mr. R. L. Borden) to M. for 2°, 4944 (iii).
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Western Life Assurance Co.'s incorp. B. 108 (Mr. Adamson) in Com., 4696 (iii).

Gervais, Mr. H., *Montreal, St. James.*
Canada Temperance Act Amt. (B. 128) 1° m., 3359 (ii).
Criminal Code (trading stamps) Amt. B. 196 (Mr. Fitzpatrick) in Com., 9412; Res. of Boards of Trade and Cor., &c. (read) 9413 (v).

Gervais, Mr. H.—*Con.*
Crown Casualty Co. (B. 125) Pet. presented, 2322; 1° m., 2593 (ii).
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Montreal P. O., Pneumatic System Installation, in Com. of Sup., 1131 (i).
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Postal Facilities, Montreal (remarks) in Com. of Sup., 1131 (i).
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St. Lawrence Ship Canal and Lake Champlain Co.'s (B. 43) 1°*, 625 (i).
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Girard, Mr. J., *Chicoutimi and Saguenay.*
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Gladu, Mr. J. E. O., *Yamaska.*
Autonomy B. 69 (Alberta) in Com., sec. 2 (B. N.A. Act) on Amt. (Mr. Monk) dual language, 8621 (v).

Gordon, Mr. D. A., *East Kent.*
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Grant, Mr. G. D., *North Ontario.*

Autonomy B. 69 (Sir Wilfrid Laurier) on Amt. (Mr. R. L. Borden) to M. for 2°, 4703 (iii).

Brandon, Saskatchewan and Hudson Bay Ry. Co.'s B. 179 (Mr. Turriff) in Com., 8654 (v).

Georgian Bay and Seaboard Ry. Co.'s (B. 35) 1°*, 493 (i).

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International Bridge and Terminal Ry. Co.'s incorp. (B. 87) on Sen. Amts., 9695 (v).

James Bay Ry., Deviation of Line, Cor., &c. (M. for copies*) 9697 (v).

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Ontario and Minnesota Power Co.'s B. 86 (Mr. Campbell) in Com., 3135 (ii).

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Greenway, Mr. T., *Lisgar.*

Agriculture and Colonization Com., 4th Rep. (M.) to conc., 6310 (iv).

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Grain Inspection Act Amt. B. 174 (Mr. Fisher) in Com., 9396 (v).

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Gunn, Mr. B. B., *South Huron.*

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Tobacco Industry, Inspection of (remarks) in Com. of Sup., 1687 (i).

Guthrie, Mr. H., *South Wellington.*

Autonomy and Provincial Rights, on M. (Mr W. F. Maclean) to adjn., 1752 (i).

Autonomy B. 69 (Sir Wilfrid Laurier) on Amt. (Mr. R. L. Borden) to M. for 2°, 5153 (iii).

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Criminal Code (1902) Amt. (B. 67) 1°*, 1421 (i).

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Dominion Elections Act (1900) Amt. (B. 9) 1° m., 263 (i).

Guthrie, Mr. H.—*Con.*

Guelph and Georgian Bay Ry. Co.'s (B. 100) 1°*, 2108 (ii).

Hamilton, Galt and Berlin Ry. Co.'s (B. 112) 1°*, 2184 (ii).

Niagara-Welland Power Co.'s (B. 40) 1°*, 625 (i).

Union Labels B. 10 (Mr. Smith) in Com., 1770 (i).

Haggart, Hon. J. G., *South Lanark.*

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Brandon, Saskatchewan and Hudson Bay Ry. Co.'s B. 179 (Mr. Turriff) in Com., 8654 (v).

Canada Atlantic Ry. Co.'s B. 46 (Mr. Macdonald) in Com., 4236 (iii).

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Canada Southern Bridge Co.'s B. 29 (Mr. German) in Com., 1287 (i).

Census and Statistics B. 5 (Mr. Fisher) in Com., 627, 659 (i).

Criminal Code, 1892 (summary convictions) Amt. B. 66 (Mr. Porter) in Com., 4269 (iii).

Haggart, Hon. J. G.—*Con.*
Culbute Canal, Litigation *re* Flooding (remarks) in Com. of Sup., 1522 (i).
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Georgian Bay Islands, Sale to Mr. F. W. Grant (remarks) on M. for Sup., 6488 (iv).
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Haggart, Hon. J. G.—*Con.*
Lévis, Purchase of Land for I.C.R. (remarks) on M. for Sup., 6670 (iv).
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Quebec Harbour Commissioners Act Amt. B. 27 (Mr. Préfontaine) in Com., 1243 (i).
Ry. Act (highway crossings) Amt. B. 2 (Mr. Lancaster) on M. for 2°, 283; in Com., 1787 (i).
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Henderson, Mr. D.—*Con.*
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Hughes, Mr. J. J.—*Con.*
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Hughes, Mr. S., *Victoria & Haliburton, O.*
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Bank Act Amt. B. No. 181 (Mr. Fielding) 1° m., 7642 (iv); 2°*, 8688 ; in Com., 8688; 3°*, 8689 (v). (5 Edward VII, c., 4).

Banking Act Amts., Legislation *re* : Remarks (Mr. Bergeron) 6112 (iv).

—— Remarks (Mr. R. L. Borden) 2441 (ii).

Bank Notes, Supervision *re* Printing and Circulation, &c.: Remarks in Com. of Sup., 6251 (iv).

See 'Finance, &c.'

Banff Hot Spring Roads and Bridges ; in Com. of Sup., 6423 (iv).

Banff, N.W.T. Water Works and Sewage Construction : in Com. of Sup., 9306 (v).

Banff Pamphlets, Printing and Distribution ; in Com. of Sup., 6424 (iv).

Barachois Boat Harbour : in Com. of Sup., 7396 (iv).

Barachois de Malbaie Breakwater : in Com. of Sup., 7287 (iv).

Barrie (Allandale) Landing Pier : in Com. of Sup., 9595 (v).

Barrington Passage Wharf, N.S. : in Com. of Sup., 9581 (v).

Barry's Wharf, Madawaska River : in Com. of Sup., 6873 (iv).

Bass River Wharf Repairs : in Com. of Sup., 7397 (iv).

Batiscan Channel Dredging : in Com. of Sup., 7322 (iv).

Battery Point Breakwater Extension : in Com. of Sup., 9552 (v).

Battleford and Lake Lenore Ry. Co.'s B. No. 75 (Mr. Lamont) 1° m., 1671 ; 2°*, 1758 (i) ; in Com., and 3°*, 4597 (iii). (5 Edward VII., c. 60.)

Battleford Bridge, N.W.T., Protection Works : in Com. of Sup., 7587 (iv).

Bayfield Pier, Dredging : in Com. of Sup., 7546 (iv).

Bay of Quinté Ry. Co.'s B. No. 85 (Mr. Harty) 1°*, 1788 ; 2°*, 1891 (i) ; in Com., and 3°*, 2715 (ii). (5 Edward VII., c. 81.)

Bay St. Lawrence, Boat Harbour : in Com. of Sup. 7397 (iv).

—— Telegraph Lines : in Com. of Sup., 7306 (iv).

Bear Cove Breakwater : in Com. of Sup., 7397 (iv).

Beauharnois Canal, Repairs : in Com. of Sup., 6307 (iv).
——— Water Power, Utilization : Remarks (Mr. Bergeron) in Com. of Sup., 6307 (iv).
——— Ques. (Mr. Bergeron) 1504 (i).
Beaverton Harbour Improvements : in Com. of Sup., 7546 (iv).
Beaujeu Bank Pier : in Com. of Sup., 6454 (iv).
Beckerton Public Wharf : in Com. of Sup., 7397 (iv).
Beet Sugar Industry, Encouragement of &c.: M. for Copies of Cor* (Mr. Clements) 3204 (ii).
——— M. (Mr. Bickerdike) to place on Order Paper, 9278 (v).
Belle River Dredging Channel : in Com. of Sup., 7546 (iv).
Belle River Wharf, P.E.I.: Remarks (Mr. A. Martin) in Com. of Sup., 9585 (v).
Bell, Dr., Director of Geological Survey : Remarks (Mr. R. L. Borden) in Com. of Sup., 9303 (v).
Belleville Armoury : in Com. of Sup., 1547 (i).
Beloeil Guide Piers and Booms : in Com. of Sup., 7287 (iv).
Benrier, Mr. J. P., Postmaster at St. Claud, Dismissal, &c., Cor. *re* : M. (Mr. Staples) for Cor.*, 1397 (i).
Bersimis to Godbout Tel. Line : in Com. of Sup., 7608 (iv).
Bic Harbour Wharf at Pointe à Cote : in Com. of Sup., 7287 (iv).
——— Land purchased from P. Ross : Ques. (Mr. Bergeron) 1850 (i).
Bicquet Lighthouse Keeper, Name, Salary, &c.: Ques. (Mr. Bergeron) 3202 (ii).
Bills from Senate (M.) to place on Order Paper amongst Private Bils (Mr. R. G. Macpherson) 8001 (v).
——— M. (Mr. A. Johnston) to place on Order Paper, 8096 (v).
——— Amendments *re*, Correction of Clerical Error (Mr. Fielding) 8383 (v).
——— M. (Mr. Bickerdike) to place on Order Paper, 9278 (v).
Bills, Royal Assent.: Mess. from Dep. Governor (Mr. Speaker) 6084 (iv).
——— Com. from Gov. Gen's Sec.: Read (Mr. Speaker) 6991 (iv).
Bills, Royal Assent to in Senate, 9820 (v).

BILLS :

Bill (No. 1) Respecting the Administration of Oaths of Office.—(Sir Wilfrid Laurier.)
1°*, pro forma, 5 (i).

Bill (No. 2) To amend the Railway Act, 1903.—(Mr. Lancaster.)
1°*, 9 ; 2° m., 281 ; M. to ref. to Ry. Com., 312 ; agreed to (Y. 85. N. 45) 315 ; in Com., 1780 (i), 3223 (ii).

BILLS—*Con.*

Bill (No. 3) To amend the Act respecting Certificates to Masters and Mates of Ships.—(Mr. Lancaster.)
1°*, 9 ; on Order for 2°, 733 (i).

Bill (No. 4) To amend the Railway Act, 1903.—(Mr. Maclean, York.)
1°*, 9 ; on Order for 2°, 109 (i) ; Remarks, 3246 ; withdn., 3743 (ii).

Bill (No. 5) Respecting the Census and Statistics.—(Mr. Fisher.)
1°*, 52 ; 2°* 625 ; in Com., 625 ; Res. prop., 820 ; in Com. on Res., 989 ; M. for Com. on B., 1013 ; in Com., 1069, 1467 ; 3°*, 1506 (i). (5 Edward VII., c. 5.)

Bill (No. 6) To amend the Steamboat Inspection Act, 1898.—(Mr. McCarthy, North Simcoe.)
1°*, 58 ; 2° m., 315 ; ref. to Sel. Com., 316 (i).

Bill (No. 7) Respecting the Inspection and Sale of Seeds.—(Mr. Fisher.)
M. for Com. on Res., 52 ; in Com., 54 ; 1°*, 66 ; 2°, 322 ; in Com., 322, 1155, 1788 ; 3° m., 1868 ; 3°*, 1886 (i) ; Sen. Amts., 7583 (iv). (5 Edward VII., c. 41.)

Bill (No. 8) To amend the Mounted Police Act, 1894.—(Sir Wilfrid Laruier.)
Res. prop., 59 ; in Com., 98 ; 1°*, 109 ; 2°*, 459 ; in Com., 459 ; 3°*, 465 (i). (5 Edward VII., c. 24.)

Bill (No. 9) To amend the Dominion Elections Act.—(Mr. Guthrie.)
1°, 263 (i).

Bill (No. 10) Respecting Labour Union Labels.—(Mr. Smith, Nanaimo.)
In Com. on Res., 272 ; 1°*, 279 ; 2°*, 601 ; in Com., 918, 1770 ; 3°, 1780 (i).

Bill (No. 11) Respecting the Columbia and Western Railway Company.—(Mr. Galliher.)
1°*, 317 ; 2°*, 404 ; in Com., and 3°*, 864 (i). (5 Edward VII., c. 82.)

Bill (No. 12) Respecting the Ottawa Electric Company.—(Mr. Galliher.)
1° m., 316 ; 2°*, 404 ; in Com., 1283 ; on Order for Com., 1338 ; in Com., 1888; M. to ref. to Sel. Com., 1890 (i), 2532 ; on Order for House again in Com., 2714 ; in Com., 2950, 3170 ; 3° m., 3393 ; Amt. (Mr. Stewart) Neg. (Y. 56, N. 80) 3398 ; 3°*, 3399 (ii). (5 Edward VII., c. 40.)

Bill (No. 13) Respecting the Atlantic, Quebec and Western Railway Company.—(Mr. Gauvreau.)
1°, 317 ; 2°*, 404 ; in Com., and 3°*, 864 (i). (5 Edward VII., c. 59.)

Bill (No. 14) Respecting the Molsons Bank. —(Mr. Ames.)
1°, 317 ; 2°*, 415 ; in Com., 1755 ; 3°*, 1755 (i). (5 Edward VII., c. 124.)

Bill (No. 15) To incorporate the St. Mary's and Western Ontario Railway Company. —(Mr. McIntyre.)
1°* 317 ; 2°*, 415 ; in Com., and 3°*, 864 (i). (5 Edward VII., c. 155.)

BILLS—*Con.*

Bill (No. 16) Respecting certain patents of the Canada Car Company, Limited.—(Mr. Bickerdike.)
1°*, 317 ; 2°*, 415 (i).

Bill (No. 17) Respecting certain patents of the Goodwin Car Company.—(Mr. Bickerdike.)
1°*, 317 ; 2°*, 415 (i).

Bill (No. 18) Respecting the Ottawa, Northern and Western Railway Company.—(Mr. Belcourt.)
1°*, 317 ; 2°*, 415 ; in Com., and 3°*, 864 (i). (5 Edward VII., c. 142.)

Bill (No. 19) To incorporate the Calgary, Red Deer and Battleford Railway Company.—(Mr. Scott.)
1°, 318 ; 2°*, 415 (i) ; in Com., and 3°*, 2325 (ii). (5 Edward VII., c. 67.)

Bill (No. 20) To incorporate the Moosejaw and Edmonton Railway Company.—(Mr. Scott.)
1°*, 318 ; 2°*, 415 (i) ; in Com., 2715, 2762, (iii) ; 3°*, 2763 (ii). (5 Edward VII., c. 130.)

Bill (No. 21) To amend the Act respecting the Safety of Ships.—(Mr. Sinclair.)
1°, 319 ; 2°*, 601 ; in Com., 731 (i).

Bill (No. 22) Respecting the Calgary and Edmonton Railway.—(Mr. Oliver.)
1°*, 378 ; 2°*, 534 ; in Com., 1100 ; 3°*, 1100 (i). (5 Edward VII., c. 66.)

Bill (No. 23) To amend the provisions of the Criminal Code, 1892, with respect to common bawdy houses.—(Mr. Bole.)
1°, 450 ; on Order for 2°, 733 (i).

Bill (No. 24) Respecting the Kootenay, Cariboo and Pacific Railway Company —(Mr. Galliher.)
1°*, 493 ; 2°*, 583 ; in Com., and 3°*, 1287 (i). (5 Edward VII., c. 115.)

Bill (No. 25) Respecting the Walkerton and Lucknow Railway Company.—(Mr. McKenzie, Bruce.)
1°*, 493 ; 2°*, 583, in Com., and 3°*, 1101 (i). (5 Edward VII., c. 175.)

Bill (No. 26) To incorporate the Sovereign Fire Assurance Company of Canada.—(Mr. Clarke.)
1°*, 493 ; 2°*, 583 ; in Com., 1755 ; 3°*, 1757 (i). (5 Edward VII., c. 159.)

Bill (No. 27) Respecting certain patents of the Facer Solid Steel Car Wheel Company, of Perth, Limited.—(Mr. Caldwell.)
1°*, 493 ; 2°*, 583 ; in Com., 1285, 1339 ; 3°*, 1340 (i). (5 Edward VII., c. 91.)

Bill (No. 28) To incorporate the North-west Telephone Company.—(Mr. Turriff.)
1°*, 493 ; 2°*, 583 ; in Com., 1890 (i), 2047, 2323 ; 3° m., 2325 ; on Order for 3°, 2714 (ii) ; 3° m., 6346 ; Sen. Amts., 7683 (iv). (5 Edward VII., c. 136.)

BILLS—*Con.*

Bill (No. 29) Respecting the Canada Southern Bridge Company.—(Mr. German.)
1°*, 493 ; 2°, 583 ; in Com., 1286 ; 3°*, 1287 (i). (5 Edward VII., c. 70.)

Bill (No. 30) Respecting the Canada Southern Railway Company.—(Mr. German.)
1°*, 493 ; 2°*, 583 ; in Com., and 3°*, 1287 (i). (5 Edward VII., c. 71.)

Bill (No. 31) Respecting the Canada and Michigan Bridge and Tunnel Company. —(Mr. German.)
1°*, 493 ; 2°*, 583 ; in Com., and 3°*, 1287 (i). (5 Edward VII., c. 69.)

Bill (No. 32) To incorporate the London and St. Clair Railway Company.—(Mr. Calvert.)
1°*, 493 ; 2°*, 583 ; in Com., and 3°*, 1287 (i). (5 Edward VII., c. 118.)

Bill (No. 33) Respecting certain patents of Jean Effront.—(Mr. Demers, St. John and Iberville.)
1°*, 493 ; 2°*, 583 ; in Com., and 3°, 1755 (i). (5 Edward VII., c. 89.)

Bill (No. 34) Respecting the Nicola, Kamloops and Similkameen Coal and Railway Company.—(Mr. Galliher.)
1°*, 493 ; 2°*, 583 ; in Com., 1706 ; 3°*, 1755 (i). (5 Edward VII., c. 134.)

Bill (No. 35) To incorporate the Georgian Bay and Seaboard Railway Company.—(Mr. Grant.)
1°*, 493 ; 2°*, 583 ; in Com., and 3°*, 1288 (i). (5 Edward VII., c. 95.)

Bill (No. 36) To amend the Railway Act 1903.—(Mr. Fitzpatrick.)
Res. prop., 319 ; M. for Com., 493, 535 ; in Com., 563 ; 1°* of B., 582 ; 2°, 745 ; in Com., 1596 ; 3° m., 1802 ; Amt. (Mr. Lennox) Neg., (Y. 47, N. 93) 1806 (i). (5 Edward VII., c. 35.)

Bill (No. 37) To amend the Quebec Harbour Commissioners' Act, 1899.—(Mr. Préfontaine.)
1°, 582 ; 2° m., 1242 ; in Com., 1243 ; 3°*, 1244 (i). (5 Edward VII., c. 33.)

Bill (No. 38) To amend the Seamen's Act. —(Mr. Préfontaine.)
1°, 583 (i) ; 2°*, 2114 ; in Com., 2115 (ii) ; wthdn., 4749 (iii).

Bill (No. 39) Respecting the Niagara, St. Catharines and Toronto Railway Company.—(Mr. Calvert.)
1°*, 625 ; 2°*, 864 (i) ; in Com., and 3°*, 4259 (iii). (5 Edward VII., c. 132.)

Bill (No. 40) Respecting the Niagara-Welland Power Company.—(Mr. Guthrie.)
1°*, 625 ; 2°*, 864 ; in Com., and 3°*, 1710 (i). (5 Edward VII., c. 133.)

Bill (No. 41) Respecting the Regina and Hudson's Bay Railway Company.—(Mr. Scott.)
1°*, 625 ; 2°*, 864 (i) ; in Com., and 3°*, 2325 (ii). (5 Edward VII., c. 153.)

BILLS—*Con.*

Bill (No. 42) Respecting the Vancouver, Westminster and Yukon Railway Company.—(Mr. Macpherson.)
1°*, 625 ; 2°*, 864 ; in Com., and 3°*, 1541 (i). (5 Edward VII., c. 173.)

Bill (No. 43) Respecting the Lake Champlain and St. Lawrence Ship Canal Company. —(Mr. Gervais.)
1°*, 625 ; 2°*, 864 ; in Com., and 3°*, 2042 (i). (5 Edward VII., c. 116.)

Bill (No. 44) To amend the Act respecting Certificates to Masters and Mates of Ships.—(Mr. Lancaster.)
1°, 684 ; on Order for 2°, 918, 1399 (i).

Bill (No. 45) Respecting the Grand Trunk Railway Company.—(Mr. E. M. Macdonald.)
1°, 727 ; 2°*, 909 (i) ; on Order for Com., 2765 ; in Com., 3649, 3879 (ii), 4123, 4202 ; 3° m., 4228 (iii). (5 Edward VII., c. 75.)

Bill (No. 46) Respecting the Canada Atlantic Railway Company.—(Mr. E. M. Macdonald.)
1*, 728 ; 2°*, 909 (i) ; M. for Com., 4236 ; in Com., 4240 ; 3° m., 4412 (iii). (5 Edward VII., c. 50.)

Bill (No. 47) Respecting the Montreal Park and Island Railway Company.—(Mr. Geoffrion.)
1°*, 728 ; 2°*, 1101 (i).

Bill (No. 48) Respecting the Toronto and Hamilton Railway Company.—(Mr. Calvert.)
1°, 817 ; 2°*, 909 ; in Com., and 3°*, 1541 (i). (5 Edward VII., c. 163.)

Bill (No. 49) Respecting the Century Life Insurance Company.—(Mr. Macpherson.)
1°*, 817 ; 2°*, 909 (i) ; in Com., 2765 ; 3°*, 2767 (ii). (5 Edward VII., c. 80.)

Bill (No. 50) To incorporate the Calgary and Battleford Railway Company.—(Mr. Turriff.)
1°*, 817 ; 2°*, 909 (i) ; in Com., and 3°*, 2325 (ii). (5 Edward VII., c. 65.)

Bill (No. 51) Respecting Contracts for Government Works.—(Mr. Fitzpatrick)
1°, 818 ; 2°*, 1672 ; in Com., 1672 ; 3°*, 1806 (i). (5 Edward VII., c. 7.)

Bill (No. 52) To amend the Franchise Act, 1898.—(Mr. Fitzpatrick).
1°, 818 (i) ; 2°*, 2112 ; in Com., 2112 (ii), 9198 ; 3°*, 9199 (v). (5 Edward VII., c. 13.)

Bill (No. 53) To amend the Act respecting the Department of Railways and Canals. —(Mr. Emmerson.)
1°*, 817 ; 2°*, 1673 ; in Com., 1673 ; 3°*, 1806 (i). (5 Edward VII., c. 37.)

Bill (No. 54) To amend the Public Works Act.—(Mr. Hyman.)
1°, 819 ; 2°*, 1679 ; 3°*, 1806 (i). (5 Edward VII., c. 32.)

BILLS—*Con.*

Bill (No. 55) To incorporate the Canada-Middlesex Railway Company.—(Mr. Calvert.)
1°*, 908 ; 2°*, 1101 (i).

Bill (No. 56) Respecting the Canadian Pacific Railway Company.—(Mr. Bole.)
1°*, 985 ; 2°*, 1101 (i) ; in Com., and 3°*, 2042 (ii). (5 Edward VII, c., 73.)

Bill (No. 57) To incorporate the Three Rivers, St. Maurice and Champlain Electric Railway Company.—(Mr. Bureau.)
1°, 986 ; 2°*, 1101 (i) ; in Com., and 3°*, 3136 (ii). (5 Edward VII, c., 167.)

Bill (No. 58) Respecting the Canadian Northern Railway Company.—(Mr. Lamont.)
1°*, 986 ; 2°*, 1101 (i) ; in Com., and 3°*, 4259 (iii) ; Sen. Amts., 9078 (v). (5 Edward VII, c., 72.)

Bill (No. 59) To amend the Act respecting the jurisdiction of the Exchequer Court as to Railway Debts.—(Mr. Geoffrion.)
1° m., 986 ; 2°*, 1399 ; in Com., 1400 (i), 2105, 3205 (ii).

Bill (No. 60) To incorporate the Algoma Copper Range Railway Company.—(Mr. Dyment.)
1°*, 1241 ; 2°*, 1338 (i) ; in Com., and 3°*, 3598 (ii). (5 Edward VII, c. 54.)

Bill (No. 61) To incorporate the Lebonk and Thunder Bay Railway Company.—(Mr. Bole.)
1°, 1241 ; 2°*, 1338 (i) ; in Com., and 3°*, 2715 (ii). (5 Edward VII, c., 117.)

Bill (No. 62) Respecting the Edmonton, Yukon and Pacific Railway Company.—(Mr. Lamont.)
1°*, 1241 ; 2°*, 1339 (i) ; in Com., and 3°*, 4259 (iii). (5 Edward VII, c., 88.)

Bill (No. 63) To incorporate the Brantford and Woodstock Railway Company.—(Mr. Schell, Oxford.)
1°*, 1241 ; 2°*, 1339 (i); in Com., and 3°*, 3136 (ii). (5 Edward VII, c., 63.)

Bill (No. 64) Respecting the Central Counties Railway Company.—(Mr. Stewart.)
1°*, 1336 ; 2°*, 1541 (i) ; in Com., 3598 ; 3°*, 3598 (ii). (5 Edward VII, c., 78.)

Bill (No. 65) Respecting the James Bay Railway Company.—(Mr. Watson.)
1°*, 1336 ; 2°*, 1541 (i) ; in Com., and 3°*, 4597 (iii). (5 Edward VII, c., 110.)

Bill (No. 66) To amend the Criminal Code, 1892, with respect to appeals from certain summary convictions.—(Mr. Porter.)
1°*, 1336 (i) ; 2°, 4260 ; in Com., 4260, 5137 (iii) ; 3°, 9699 (v). (5 Edward VII, c. 10.)

Bill (No. 67) To amend the Criminal Code, 1892.—(Mr. Guthrie.)
1°*, 1421 (i).

BILLS—*Con.*

Bill (No. 68) Respecting a patent of the Paper Goods Company, Limited.—(Mr. Macdonell.)
1°*, 1421 ; 2°*, 1541 (i) ; in Com., and 3°*, 2715 (ii). (5 Edward VII, c., 146.)

Bill (No. 69) To establish and provide for the Government of the Province of Alberta:—(Sir Wilfrid Laurier.)
1° m., 1421 (i) ; Res. prop., 2913 ; 2° m., 2915, on M. for 2°, 2963, 3010, 3091, 3136, 3252, 3363, 3400, 3450, 3591, 3598, 3672, 3745, 3893, 4078, 4086, 4136, 4273, 4375, 4414, 4480, 4552, 4598, 4703, 4753, 4811, 4846, 4922, 4978, 5037, 5083, 5113, 5140, 5211, 5317, Amt. (Mr. R. L. Borden) Neg. Y. 59 ; N. 140) 5401 ; 2°, 5423 ; in Com., 5423, in Com. on Res. *re* Subsidy, 5434 ; Amt. (Mr. Fielding) *re* Subsidy, 5470 ; 5479 ; Res. ref. to Com. on Bill, 5575 ; in Com. on Bill, 5601, 5719, 5749, 5808, 5927 (iii) ; Explanation (Mr. Fitzpatrick) 5983 ; in Com. on B., 6048, 6086, 7103 ; Amt. (Mr. Monk) *re* Dual Language, 7583 (iv), 8530 (v); in Com., 7724, 7817, 7864, 7916 (iv), 8004 ; Amt. (Mr. R. L. Borden) *re* Distribution of Seats, 8004 ; in Com., 8148 ; Amt. (Mr. Barker) *re* Preamble, 8173 ; in Com., 8240 ; Amt. (Mr. Lake) 8259 ; in Com., 8268 ; Amt. (Sir W. Laurier) *re* School Clause No. 2, 8269 ; Amt. (Mr. R. L. Borden) *re* Amended School Clause, 8292 ; in Com., 8317 ; Amt. (Mr. Bourassa) *re* School Clause, 8341 ; Amt. (Mr. Bergeron) *re* School Clause, 8387 ; Amt. (Mr. Lamont) *re* School Clause, 8493 ; in Com., 8530 ; Amt. (Mr. Bourassa) to Mr. Monk's Amt., 8593 ; 3° m., 8777 ; Amt. (Mr. Scott) *re* C.P.R. Taxes, 8792; Amt. (Mr. R. L. Borden) *re* Schools, 8804, Neg. (Y. 41 ; N. 109) 8816 ; Amt. (Mr. Bergeron) *re* Schools, 8831, Neg. (Y. 7 ; N. 138) 8832 ; Amt. (Mr. Sam. Hughes) *re* Schools, 8833, Neg. (Y. 37 ; N. 106), 8834 ; Amt. (Mr. Bourassa) *re* Schools, 8835, Neg. (Y. 7 ; N. 132) 8837; Amt. (Mr. Monk) *re* Dual Language, 8839 ; Amt. (Mr. Bourassa) to Amt., 8852, Neg. (Y. 7 ; N. 140) 8854 ; Amt. Neg. (Y. 7 ; N. 140) 8855 ; Amt. (Mr. Leonard) 8857 ; Amt. (Mr. M. S. McCarthy) *re* Distribution of Seats, 8858 ; Neg. (Y. 42 ; N. 97) 8859 ; Amt. (Mr. W. J. Roche) *re* Distribution of Seats, 8860 ; Amt. (Mr. Lake) *re* Lands, &c., 8863 ; Amt. (Mr. Barker) *re* Preamble, 8864 ; 3°, agreed to on division, 8866 (v). (5 Edward VII, c., 3.)

Bill (No. 70) To establish and provide for the Government of the Province of Saskatchewan.—(Sir Wilfrid Laurier.)
1°*, 1467 (i) ; Res. prop., 2914 (ii) ; 2° m., 5424 (iii), 8698 ; Amt. (Mr. R. L. Borden) 8698, Neg. (Y. 37 ; N. 90) 8699; in Com. on Res. *re* Financial Subsidy, 8701 ; in Com., 8702, 8718 ; 3° m., 8866 ; Amt. (Mr. Scott) *re* C.P.R. Taxes, 8873, Neg. (Y. 11, N. 126) 8881 ; Amt. (Mr. Leonard) *re* Schools, 8882, Neg. (Y. 6, N. 124) 8882 ; Amt. (Mr. R. L. Borden) *re* Schools, 8884 ; Amt. (Mr. Sproule) *re* Schools, 8884 ; 3°, agreed to, on division, 8885 (v). (5 Edward VII., c. 42.)

BILLS—*Con.*

Bill (No. 71) Respecting the Great Northern Railway of Canada.—(Mr. Schell, Oxford.)
1°*, 1504 ; 2°*, 1710 (i) ; in Com., 4258 ; 3°*, 4259 (iii). (5 Edward VII, c., 99.)

Bill (No. 72) To incorporate the Canadian Canals Corporation.—(Mr. Calvert.)
1°*, 1592 ; 2°, 1757 (i).

Bill (No. 73) To incorporate the Montreal, Quebec and Southern Railway Company. —(Mr. Gervais.)
1°*, 1592 ; 2°, 1757 (i) ; in Com., and 3°*, 3136 (ii). (5 Edward VII., c. 128.)

Bill (No. 74) Respecting the Medicine Hat and Northern Alberta Railway Company. (Mr. Talbot, Strathcona.)
1°*, 1671 ; 2°, 1758 (i) ; in Com., and 3°*, 3136 (ii). (5 Edward VII., c. 122.)

Bill (No. 75) Respecting the Battleford and Lake Lenore Railway Company.—(Mr. Lamont.)
1°*, 1671; 2°*, 1758 (i) ; in Com., and 3°*, 4597 (ii). (5 Edward VII., c. 60.)

Bill (No. 76) Respecting the Red Deer Valley Railway and Coal Company.—(Mr. Campbell.)
1°*, 1671 ; 2°, 1757 (i) ; in Com., 2325 ; 3°*, 2325 (ii). (5 Edward VII., c. 152.)

Bill (No. 77) Respecting the Canadian Agency.—(Mr. Bickerdike.)
1°*, 1671 ; 2°*, 1758 (i) ; on Order for Com., 9049 ; in Com., 9077 (v).

Bill (No. 78) Respecting the Macleod, Cardston and Montana Railway Company.—(Mr. Turriff.)
1°*, 1671 ; 2°*, 1758 (i) ; in Com., and 3°*, 2715 (ii). (5 Edward VII., c. 119.)

Bill (No. 79) Respecting the Toronto, Hamilton and Buffalo Railway Company.—(Mr. Zimmerman.)
1°*, 1671 ; 2°*, 1758 (i) ; in Com., 4259 ; 3°*, 4259 (iii). (5 Edward VII., c. 165.)

Bill (No. 80) To incorporate the Woodstock and Lake Huron Railway Company.—(Mr. Clarke, Essex.)
1°*, 1671 ; 2°*, 1758 (i).

Bill (No. 81) Respecting the Ottawa River Railway Company, and to change its name to the 'Central Trunk Railway Company.'—(Mr. Piché.)
1°*, 1671 ; 2°*, 1758 (i) ; in Com., and 3°*, 4597 (iii). (5 Edward VII., c. 79.)

Bill (No. 82) To incorporate the Dominion Annuity Company.—(Mr. Bole.)
1°*, 1745 ; 2°*, 1891 (i) ; in Com., 2767 ; 3° m., 2768 ; 3°*, 2950 (ii). (5 Edward VII., c. 55.)

Bill (No. 83) Respecting the Alberta Railway and Irrigation Company.—(Mr. Turriff.)
1°*, 1788 ; 2°*, 1891 (i) ; in Com., and 3°*, 5132 (iii). (5 Edward VII., c. 52.)

BILLS—*Con.*

Bill (No. 84) Respecting the Huron and Erie Loan and Savings Company.—(Mr. Calvert.)

1°*, 1788 ; 2°*, 1891 (i) ; in Com., and 3°*, 4597 (iii). (5 Edward VII., c. 105.)

Bill (No. 85) Respecting the Bay of Quinté Railway Company.—(Mr. Harty).

1°*, 1788 ; 2°*, 1891 (i) ; in Com., and 3°*, 2715 (ii). (5 Edward VII., c. 81.)

Bill (No. 86) Respecting the Ontario and Minnesota Power Company, Limited.—(Mr. Campbell.)

1°*, 1933 (i) ; 2°*, 2062 ; in Com., 2715, 2763, 3134 ; 3°*, 3135 (iii) ; Sen. Amts., 9817 (v). (5 Edward VII., c. 139.)

Bill (No. 87) To incorporate the International Terminal and Bridge Company.—(Mr. Johnston, Lambton.)

1°*, 1933 (i) ; 2°*, 2062 ; in Com., 3135 ; 3°, 3135 (ii) ; Sen. Amts., 9695 (v). (5 Edward VII., c. 108.)

Bill (No. 88) To incorporate the Athabaska Northern Railway Company.—(Mr. Turriff.)

1°*, 193 (i); 2°*, 2060 ; in Com., and 3°*, 3136 (ii). (5 Edward VII., c. 57.)

Bill (No. 89) Respecting Monterey Electric and Gas Company, Limited, and to change its name to 'Monterey Railway, Light and Power Company.'—(Mr. Macdonell.)

1°*, 2005 ; 2°*, 2062 ; in Com., and 3°*, 2715 (ii). (5 Edward VII., c., 126.)

Bill (No. 90) Respecting the Esquimalt and Nanaimo Railway Company. — (Mr. Smith.)

1°*, 2005 ; 2°*, 2297 (ii) ; in Com., and 3°*, 4597 (iii). (5 Edward VII., c. 90.)

Bill (No. 91) Respecting the Timagami Railway Company.—(Mr. McCool.)

1°*, 2005 ; 2°*, 2062 ; in Com., 3135 ; 3°, 3136 (ii). (5 Edward VII., c. 161.)

Bill (No. 92) Respecting the Ottawa and New York Railway Company.—(Mr. Belcourt.)

1°*, 2005 ; 2°*, 2062 (ii) ; in Com., 4965, 5736 (iii), 5963 ; 3°*, 5973 (iv). (5 Edward VII., c. 141.)

Bill (No. 93) Respecting the Grand Council of the Catholic Mutual Benefit Association of Canada.—(Mr. Hughes, Kings.)

1°*, 2005 ; 2°*, 2062 ; in Com., 2769 ; 3°*, 2770 (ii). (5 Edward VII., c. 77.)

Bill (No. 94) Respecting the Brockville, Westport and North-western Railway.—(Mr. Derbyshire.)

1°*, 2005 ; 2°*, 2062 ; in Com., and 3°*, 2715 (ii). (5 Edward VII., c. 64.)

Bill (No. 95) Respecting Gillies Brothers, Limited.—(Mr. Wright, Renfrew.)

1°*, 2005 ; 2°*, 2062 ; in Com., 2763 ; 3°*, 2765 (ii). (5 Edward VII., c. 96.)

BILLS—*Con.*

Bill (No. 96) Respecting the Montreal and Southern Counties Railway Company.—(Mr. Geoffrion.)

1°*, 2005 ; 2°*, 2062 ; in Com., and 3°*, 3136 (ii). (5 Edward VII., c. 129.)

Bill (No. 97) Respecting the Kingston and Dominion Central Railway, and to change its name to 'The Montreal, Ottawa Kingston and Georgian Bay Railway Company.—(Mr. Harty.)

1°*, 2005 ; 2°*, 2325 (ii) ; in Com., and 3°*, 5113 (iii). (5 Edward VII., c. 86.)

Bill (No. 98) To incorporate the Imperial Guarantee and Accident Insurance Company of Canada.—(Mr. Belcourt.)

1°*, 2043 ; 2°*, 2297 ; in Com., 2770 ; 3°*, 2772 (ii). (5 Edward VII., c. 107.)

Bill (No. 99) To incorporate the Title Guarantee and Trust Company.—(Mr. Campbell.)

1°*, 2108 ; 2°*, 2297 ; in Com., 3651 (ii), 4680 ; 3° m., 4964 (iii). (5 Edward VII., c. 162.)

Bill (No. 100) Respecting the Guelph and Georgian Bay Railway Company.— (Mr. Guthrie.)

1°*, 2108 ; 2°*, 2297 ; in Com., and 3°*, 3136 (ii). (5 Edward VII., c. 101.)

Bill (No. 101) To incorporate the Winding Ledges Power and Boom Company.—(Mr. Costigan.)

1°*, 2108 ; 2°*, 2297 (ii).

Bill (No. 102) Respecting a certain patent of the Gold Medal Furniture Manufacturing Company, Limited.— (Mr. Campbell.)

1°*, 2184 ; 2°*, 2297 ; in Com., 3399 ; 3°*, 3400 (ii). (5 Edward VII., c. 97.)

Bill (No. 103) Respecting the Richmond and Drummond Fire Insurance Company.—(Mr. Tobin.)

1°*, 2184 ; on Order for 2°, 2296 ; 2°*, 2297 ; in Com., 3669 ; 3°*, 3669 (ii). (5 Edward VII., c. 154.)

Bill (No. 104) Respecting the Northern Bank.—(Mr. Bole.)

1°*, 2184 ; 2°*, 2298 (ii) ; in Com., and 3°*, 4597 (iii). (5 Edward VII., c. 135.)

Bill (No. 105) To incorporate the Ontario Fire Insurance Company.—(Mr. Boyce.)

1°*, 2184 ; 2°*, 2298 ; in Com., 2772 ; 3°*, 2950 (ii). (5 Edward VII., c. 137.)

Bill (No. 106) Respecting the Dominion Atlantic Railway Company.—(Mr. Black.)

1°*, 2184 ; 2°*, 2298 (ii) ; in Com., 4971, 5113 ; 3°*, 5113 (iii) ; Sen. Amts., 7625 (iv). (5 Edward VII., c. 85.)

Bill (No. 107) Respecting a certain patent of Celeste Joly.—(Mr. Smith.)

1°*, 2184 ; 2°*, 2298 (ii) ; in Com., and 3°*, 4597 (iii). (5 Edward VII., c. 112.)

BILLS—*Con.*

Bill (No. 108) To incorporate the Western Life Insurance Company.—(Mr. Adamson.)
1°*, 2184 ; 2°* 2298 (ii) ; in Com., 4684 ; 3°*, 4700 (iii). (5 Edward VII., c. 74.)

Bill (No. 109) Respecting the Hudson's Bay and Pacific Railway Company.—(Mr. Calvert.)
1°*, 2184 ; 2°*, 2298 ; in Com., and 3°*, 3136 (ii). (5 Edward VII., c. 104.)

Bill (No. 110) Respecting the Toronto and Hamilton Railway Company.—(Mr. Calvert.)
1°*, 2184 ; 2°*, 2298 (ii) ; in Com., and 3°*, 4259 (iii). (5 Edward VII., c. 164.)

Bill (No. 111) To incorporate the Saskatchewan Bridge Company.—(Mr. Scott).
1°*, 2184 ; 2°*, 2773 (ii) ; in Com., and 3°*, 4259 (iii). (5 Edward VII., c. 157.)

Bill (No. 112) Respecting the Hamilton, Galt and Berlin Railway Company.—(Mr. Guthrie.)
1°*, 2184 ; 2°*, 2298 (ii) ; in Com., and 3°*, 4700 (iii). (5 Edward VII., c. 102.)

Bill (No. 113) Respecting the Ontario, Hudson's Bay and Western Railway Company.—(Mr. Dyment.)
1°*, 2185 ; 2°*, 2298 (ii) ; in Com., and 3°*, 5132 (iii). (5 Edward VII., c. 138.)

Bill (No. 114) Respecting the Manitoulin and North Shore Railway Company.—(Mr. Dyment.)
1°*, 2185 ; 2°*, 2773 (ii) ; in Com., and 3°*, 6610 ; Sen. Amts., 7625 (iv). (5 Edward VII,. c. 120.)

Bill (No. 115) Respecting the Grand Trunk Pacific Railway Company.—(Mr. McCarthy.)
1°*, 2185 ; 2°*, 3400 (ii) ; on Order for Com., 7621, 7625; in Com., 7622, 7677; 3°, 7853 (iv). (5 Edward VII., c. 98.)

Bill (No. 116) Respecting the Algoma Central and Hudson Bay Railway Company.—(Mr. Dyment.)
1°*, 2185 ; 2°*, 3400 ; in Com., and 3°*, 6610 (iv). (5 Edward VII., c. 53.)

Bill (No. 117) To incorporate the Athabaska Railway and Oil Company.—(Mr. Oliver.)
1°*, 2185 ; 2°* 2298 ; in Com., 3135 ; 3°*, 3135 (ii). (5 Edward VII., c. 58.)

Bill (No. 118) Respecting the Alberta Central Railway Company.—(Mr. Oliver.)
1°*, 2185 ; 2°*, 2298 ; in Com., and 3°*, 3136 (ii). (5 Edward VII., c. 51.)

Bill (No. 119) To incorporate D. R. Fraser and Company, Limited.—(Mr. Oliver.)
1°*, 2185 ; 2°*, 2773 (ii) ; in Com., and 3°*, 7625 (iv). (5 Edward VII., c. 87.)

Bill (No. 120) Respecting False Representations to Induce Immigration.—(Mr. Logan.)
1°*, 2323 (ii) ; 2°*, 9699 ; in Com., 9699 ; 3°*, 9700 (v). (5 Edward VII., c. 16.)

BILLS—*Con.*

Bill (No. 121) To amend the Act respecting the Packing and Sale of Staple Commodities.—(Mr. Fisher.)
M. for Com. on Res., 676 ; in Com. on Res., 681, 736 (i), 2413 ; 1°* of B., 2441; 2°, and in Com., 2841 ; 3°*, 2850 (ii). (5 Edward VII., c. 44.)

Bill (No. 122) To incorporate the Grand River and Western Power Company.—(Mr. Zimmerman.)
1°*, 2681 ; 2°*, 3136 (ii).

Bill (No. 123) Respecting the Board of the Presbyterian College, Halifax.—(Mr. Sinclair.)
1°*, 2681 ; 2°*, 3136 (ii) ; in Com., and 3°*, 4259 (iii). (5 Edward VII., c. 149.)

Bill (No. 124) Respecting the Farmers' Bank of Canada.—(Mr. Martin, Wellington.)
1°*, 2681 ; 2°*, 3136 (ii) ; in Com., and 3°*, 4700 (ii); Sen. Amts., 6609 (iv). (5 Edward VII., c. 92.)

Bill (No. 125) To incorporate the Crown Casualty Company of Canada.—(Mr. Gervais.)
M. to receive Pet., 2203, 2322, 2593 ; 1°*, 2593 ; 2°*, 3136 ; in Com., and 3°*, 3669 (ii). (5 Edward VII., c. 83.)

Bill (No. 126, from the Senate) For the relief of Edward Albert Murphy.—(Mr. Galliher.)
1°*, 3091 ; 2°*, 3400 (ii) ; in Com., and 3°*, 4597 (iii). (5 Edward VII., c. 121.)

Bill (No. 127, from the Senate) For the relief of James Arthur Pryor.—(Mr. Calvert.)
1°*, 3091 ; 2°*, 3400 (ii) ; in Com., and 3°*, 4259 (iii). (5 Edward VII., c. 150.)

Bill (No. 128) To amend the Canada Temperance Act.—(Mr. Gervais.)
1°, 3359 (ii).

Bill (No. 129, from the Senate) Respecting certain patents of William A. Damen.—(Mr. Campbell.)
1°*, 3834 (ii) ; 2°*, 4700 (iii) ; ref. back to Sel. Com., 6379 ; in Com., and 3°*, 7624 (iv) ; M. *re* Amts., 8383 (v). (5 Edward VII., c. 84.)

Bill (No. 130, from the Senate) For the relief of Jane Marie Fitz-Simons.—(Mr. Calvert.)
1°*, 4081 ; 2°*, 4414 (iii) ; in Com., 6377 ; 3° m., 6378 (iv). (5 Edward VII., c. 94.)

Bill (No. 131) Respecting the Vancouver and Coast-Kootenay Railway Company.—(Mr. Macpherson.)
1°*, 4081 ; 2°*, 4414 (iii) ; in Com., and 3°*, 5976 (iv). (5 Edward VII., c. 171.)

Bill (No. 132) To amend the Government Railways Act.—(Mr. Emmerson.)
1° m., 4186 (iii) ; 2°*, and in Com., 6139, 7583 ; 3°, 7584 (iv). (5 Edward VII., c. 36.)

BILLS—*Con.*

Bill (No. 133, from the Senate) Respecting the Citizens' Bank of Canada.—(Mr. Barr.)

1°*, 4271 ; 2°*, 4700 (iii) ; in Com., 5973 ; 3°*, 5973 (iv). (5 Edward VII., c. 81.)

Bill (No. 134) To incorporate the Provident Savings Association, Limited. — (Mr. Gervais.)

1°*, 4370 ; 2°*, 4598 (iii) ; in Com., 5974 ; 3°*, 5976 (iv) ; Sen. Amts., 9078 (v). (5 Edward VII., c. 151.)

Bill (No. 135, from the Senate) Respecting the Western Alberta Railway Company. —(Mr. Galliher.)

1°*, 4550 ; 2°*, 4700 (iii) ; in Com., and 3°*, 5976 (iv). (5 Edward VII., c. 176.)

Bill (No. 136, from the Senate) To incorporate the Anthracite Coal Railway Company.—(Mr. Galliher.)

M. to receive Pet., 4550 ; Pet. ref. back to Sel. Com., 4644 ; 1°*, 4807 ; 2°*, 4978 (iii) ; in Com., 5976 ; 3°*, 5976 (iv). (5 Edward VII., c. 56.)

Bill (No. 137, from the Senate) Respecting the Kingston, Smith's Falls and Ottawa Railway Company.—(Mr. Galliher.)

1°*, 4550 ; 2°*, 4978 (iii) ; in Com., and 3°*, 6383 (iv). (5 Edward VII., c. 114.)

Bill (No. 138, from the Senate) Respecting the Montreal Bridge Company, and to change its name to the Montreal Bridge and Terminal Company.—(Mr. Piché.)

1°*, 4550 ; 2°, 4703 (iii) ; in Com., and 3°*, 6275 (iv). (5 Edward VII., c. 127.)

Bill (No. 139) Respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.—(Mr. Duncan Ross.)

M. to receive Pet., 3743 ; 1°*, 4550 ; 2° m., 4700 ; 2°*, 4977 (iii) ; in Com., 8315, 8637 ; 3° m., 8818, 9040 (v). (5 Edward VII., c. 172.)

Bill (No. 140) Respecting the Northwest Coal and Coke Railway Company, and to change its name to the Great West Railway Company.—(Mr. Galliher.)

1°*, 4550 · 2°*, 4977 (iii) ; in Com., and 3°*, 5976 (iv). (5 Edward VII., c. 100.)

Bill (No. 141) Respecting the Kaslo and Lardo-Duncan Railway Company.—(Mr. Galliher.)

M. to receive Pet., 3744 (ii), 4375 ; 1°*, 4550 ; 2°*, 4977 (iii) ; in Com., and 3°*, 5976 (iv). (5 Edward VII., c. 113.)

Bill (No. 142) For the relief of Edward Norman Lewis, a Member of the House of Commons.—(Mr. Fitzpatrick.)

1°*, 4550 ; 2°*, 5136 ; in Com., 5136 ; 3°*, 5137 (iii). (5 Edward VII., c. 19.)

Bill (No. 143, from the Senate) To incorporate the Owen Sound and Meaford Railway Company.—(Mr. Telford.)

1°*, 4644 ; 2°*, 4978 (iii) ; in Com., and 3°*, 5976 (iv). (5 Edward VII., c. 144.)

BILLS—*Con.*

Bill (No. 144, from the Senate) To incorporate the Fessenden Wireless Telegraph Company of Canada.—(Mr. Telford.)

1°*, 4644 ; 2°*, 4978 (iii) ; in Com., 6380, 6607 ; 3°*, 6609 (iv). (5 Edward VII., c. 93.)

Bill (No. 145 from the Senate) Respecting a Patent, No. 69772, of the Underwood Typewriter Company.—(Mr. Grant.)

1°*, 4644 ; 2°*, 4977 (iii) ; in Com., and 3°*, 6383 (iv). (5 Edward VII, c., 168.)

Bill (No. 146 from the Senate) Respecting certain Patents of the Underwood Typewriter Company (Mr. Grant.)

1°*, 4644 ; 2°*, 4977 (iii) ; in Com., and 3°*, 6383 (iv). (5 Edward VII, c., 169.)

Bill (No. 147) To amend the Seamen's Act.—(Mr. Préfontaine.)

1°*, 4750 (iii) ; 2°*, 7424 ; in Com., 7424 (iv), 9029 ; 3°*, 9031 (v). (5 Edward VII, c., 40.)

Bill (No. 148) Respecting the incorporation of Live Stock Record Associations.—(Mr. Fisher.)

1° m., 5076 ; Remarks (Mr. W. F. Maclean) 5577 ; 2°*, 5922 ; in Com., 5922 ; 3°*, 5927 (iii). (5 Edward VII, c., 21.)

Bill (No. 149) Respecting the South Shore Railway Company and the Quebec Southern Railway Company.—(Mr. Brown.)

1°*, 5783 (iii) ; 2°*, 6868 (iv) ; M. to ref. back to Ry. Com., 9072 ; M. to place on Orders for Com., 9278 ; in Com., 9340, 9586 ; 3°*, 9587 ; Sen. Amts., 9815 (v). (5 Edward VII, c., 158.)

Bill (No. 150 from the Senate) Respecting the Interprovincial and James Bay Railway Company.—(Mr. Devlin.)

1°*, 5783 (iii) ; 2°*, 6868 ; in Com., and 3°*, 7060 (iv). (5 Edward VII, c., 109.)

Bill (No. 151) To incorporate L'Union Saint Joseph du Canada.—(Mr. Belcourt.)

M. to present Pet., 2490 ; M. to rec. Pet., 2491 (ii) ; 1°*, 5783 (iii) ; 2°*, 5976 (iv); in Com., and 3°*, 8146 (v). (5 Edward VII, c., 170.)

Bill (No. 152 from the Senate) For the relief of Clara Bidwell McDermot.—(Mr. Campbell.)

1°*, 5919 (iii) ; 2°*, 5976 ; in Com., 6275, 6347 ; 3° m., 6376 ; Agreed to (Y. 38 ; N. 13) 6377 (iv). (5 Edward VII, c., 121.)

Bill (No. 153, from the Senate) For the Relief of George Pearson.—(Mr. Calvert.)

1°*, 5919 (iii) ; 2°*, 6868 ; in Com., 7623 ; 3°, 7624 (iv). (5 Edward VII, c., 147.)

Bill (No. 154, from the Senate) For the relief of George Dance Harper.—(Mr. Johnston, Lambton.)

1°*, 5919 (iii) ; 2°*, 5976 ; in Com., 6377 ; 3°*, 6377 (iv). (5 Edward VII, c., 103.)

BILLS—*Con.*

Bill (No. 155, from the Senate) Respecting the Administration of an Act respecting the Packing and Sale of Certain Staple Commodities.—(Sir Wilfrid Laurier.)

1°*, 5960 (iii) ; 2°*, 5979 ; in Com., 5979 ; 3°*, 5983 (iv). (5 Edward VII, c., 45.)

Bill (No. 156) To amend the North-west Territories Representation Act.—(Mr. Fitzpatrick.)

1°, 6046 (iv) ; 2°*, 8769 ; in Com., 8769 ; 3°*, 8885 (v). (5 Edward VII, c., 23.)

Bill (No. 157) Respecting the District of Mackenzie.—(Mr. Fitzpatrick.)

1°, 6103 (iv) ; Order dschgd., 8176 (v).

Bill (No. 158) To amend the Keewatin Act. —(Mr. Fitzpatrick.)

1°, 6103-4 (iv) ; Order dschgd., 8176 (v).

Bill (No. 159) To amend the Dominion Controverted Elections Act.—(Mr. Fitzpatrick.)

1°, 6103-4 (iv) ; 2°*, and in Com., 8769 ; 3°*, 8885 (v). (5 Edward VII, c., 8.)

Bill (No. 160) With respect to the North-west Territories.—(Mr. Fitzpatrick.)

1°, 6104 (iv) ; 2°, 8763 ; in Com., 8764 ; 3°*, 9408 (v). (5 Edward VII, c., 27.)

Bill (No. 161) To amend the North-west Irrigation Act, 1898.—(Mr. Oliver.)

1°, 6104 (iv) ; 2°*, 8775 ; in Com., 8775 ; 3°*, 8885 (v). (5 Edward VII, c., 28.)

Bill (No. 162) To amend the Land Titles Act, 1894.—(Mr. Oliver.)

1°*, 6104 (iv) ; 2°*, 9082 ; in Com., 9082 ; 3°*, 9085 (v). (5 Edward VII, c., 18.)

Bill (No. 163) To amend the Census and Statistics Act.—(Mr. Fisher.)

1°, 6105 (iv) ; 2° 8774 ; in Com., 8775 ; 3°*, 8885 (v). (5 Edward VII., c. 6.)

Bill (No. 164, from the Senate) To incorporate the Monarch Bank of Canada.—(Mr. Gordon.)

1°*, 6232 ; 2°*, 6868 (iv) ; in Com., and 3°*, 8655 (iv). (5 Edward VII., c. 125.)

Bill (No. 165) Respecting the Canadian Yukon Western Railway Company.—(Mr. Campbell.)

1°*, 6232 ; 2°*, 7218 (iv) ; in Com., and 3°*, 8655 (v). (5 Edward VII., c. 76.)

Bill (No. 166, from the Senate) Respecting certain Patents of the Ideal Manufacturing Company.—(Mr. Campbell.)

1°*, 6232 ; 2°*, 6868 ; in Com., and 3°*, 7625 (iv) ; M. *re* Amts., 8383 (v). (5 Edward VII., c. 106.)

Bill (No. 167, from the Senate) For the relief of Arthur Howe Hersey.—(Mr. Johnston, Lambton.)

1°*, 6232 ; 2°*, 6868 ; M. for Com., 7624 ; On Order for Com., 7682 ; M. to ref. back to Sel. Com., 7682 (iv).

BILLS—*Con.*

Bill (No. 168) For granting to His Majesty certain sums of money for the Public Service for the Financial Years ending respectively the 30th June, 1905, and the 30th June, 1906 (Sir Wilfrid Laurier.)

Res. prop., 6966 ; 1°* ; 2°* ; in Com., and 3°*, 6966 (iv). (5 Edward VII., c. 1.)

Bill (No. 169) To amend the Act respecting the Royal Military College.—(Sir Frederick Borden.)

Res. prop., 6904 ; in Com. on Res., 6966 ; 1°* of B., 6984 ; 2°*, 7262 ; in Com., 7262; 3°*, 7262 (iv). (5 Edward VII., c. 39.)

Bill (No. 170) To amend the Militia Act.—(Sir Frederick Borden.)

Res. prop., 6905 ; in Com. on Res., 6984 ; 1°* of B., 6991 ; On Order for 2°, 7263; 2° m., 9179 ; in Com., and 3°*, 9198 (v). (5 Edward VII., c. 22.)

Bill (No. 171) Respecting the Fort and Pilotage District of Quebec.—(Mr. Préfontaine.)

1°, 7018 ; 2°*, 7440 ; in Com., 7440 ; 3°*, 7444 (iv). (5 Edward VII., c. 34.)

Bill (No. 172, from the Senate) For the relief of Philip Vibert.—(Mr.Zimmerman.)

1°*, 7095 ; On Order for 2°, 7218 ; 2°, 7261; in Com., and 3°*, 7624 (iv). (5 Edward VII., c. 174.)

Bill (No. 173) Respecting the St. Maurice Valley Railway Company.—(Mr. Bureau.)

Pet. presented, 6826 ; M. to receive Pet., 7017 ; 1°*, 7175 ; 2°*, 7261 (iv) ; in Com., and 3°*, 8655 (v). (5 Edward VII., c. 156.)

Bill (No. 174, from the Senate) To amend the Grain Inspection Act as regards the Selection of Commercial Grades and Samples.—(Mr. Fisher.)

1°*, 7420 (iv) ; 2°*, 9395 ; in Com., 9395 ; 3°*. 9408 (v). (5 Edward VII., c. 14.)

Bill (No. 175) Respecting the Pacific Bank.—(Mr. Galliher.)

1°, 7420 ; 2°, 7625 (iv) ; in Com., and 3°*, 8146 (v). (5 Edward VII., c. 145.)

Bill (No. 176) To amend the Inland Revenue Act.—(Mr. Brodeur.)

1°, 7421 (iv) ; 2°*, 8676 ; in Com., 8676 ; 3°*, 8685 ; Sen. Amts., 9411 (v). (5 Edward VII., c. 17.)

Bill (No. 177, from the Senate) Respecting certain Patents of David Thomas Owen. —(Mr. Stewart.)

1°*, 7642 (iv) ; M. to place on Orders for 2°, 8001, 8096 ; 2°*, 8146 ; in Com., 8652 ; 3°*, 9049 (v). (5 Edward VII., c. 143.)

Bill (No. 178, from the Senate) Respecting the Canada Central Railway Company. —(Mr. Dyment.)

1°*, 7642 (iv) ; M. to place on Orders for 2°, 8001, 8096 ; 2°*, 8146 ; in Com., and 3°*, 9049 (v). (5 Edward VII., c. 68.)

BILLS—*Con.*

Bill (No. 179, from the Senate) Respecting the Brandon, Saskatchewan and Hudson's Bay Railway Company.—(Mr. Turriff.)

1°*, 7642 (iv) : M. to place on Orders for 2°, 8001, 8096 ; 2°*, 8146; in Com., 8652; M. to ref. back to Ry. Com., 8655 ; in Com., and 3°*, 9049 (v). (5 Edward VII., c. 62.)

Bill (No. 180, from the Senate) Further to amend the Act of 1899 respecting the City of Ottawa.—(Mr. Fielding.)

1°*, 7642 (iv) ; 2°*, 8686 ; in Com., 8686 ; 3°*, 8688 (v). (5 Edward VII., c. 29.)

Bill (No. 181) To amend the Bank Act.—(Mr. Fielding.)

1°, 7642 (iv) ; 2°*, 8688 ; in Com., 8688 ; 3°*, 8689 (v). (5 Edward VII., c. 4.)

Bill (No. 182, from the Senate) Respecting the Sterling Bank of Canada.—(Mr. Campbell.)

1°*, 7810 (iv) ; M. to place on Orders for 2°*, 8001, 8096 ; 2°*, 8146 ; in Com. and 3°*, 8655 (v). (5 Edward VII., c. 160.)

Bill (No. 183, from the Senate) Respecting a certain patent of the Metal Volatilization Company.—(Mr. McCool.)

1°*, 7810 (iv) ; M. to place on Orders for 2°, 8001, 8096; 2°*, 8146; in Coc., and 3°*, 9049 (v). (5 Edward VII., c. 123.)

Bill (No. 184, from the Senate) To amend the Acts respecting Naturalization and Aliens.—(Mr. Fitzpatrick.)

1°*, 7906 (iv) ; 2°*, 8685 ; in Com., 8685, 8689 ; 3°*, 8690 (v). (5 Edward VII., c. 25.)

Bill (No. 185, from the Senate) For the relief of Isaac Pitblado.—(Mr. Bole.)

1°*, 7906 (iv) ; M. to place on Orders for 2°, 8001, 8096 ; 2°*, 8146 ; in Com., and 3°*, 9049 (v). (5 Edward VII., c. 148.)

Bill (No. 186) For the regulation of Wireless Telegraphy in Canada.—(Mr. Préfontaine.)

1° m., 8177 ; 2°*, 9031 ; in Com., 9031; 3°*, 9032 (v). (5 Edward VII., c. 49.)

Bill (No. 187. from the Senate) To amend the Companies Act.

(This Bill was not read the first time in the House of Commons.)

Bill (No. 188) Respecting the Inspection of Water Meters.—(Mr. Brodeur.)

Res. prop., 8385 : in Com. on Res., 8674 ; 1°* of B., 8676 ; 2°*, 9409 ; in Com., 9409 ; 3°*, 9524 ; Sen. Amts., 9816 (v). (5 Edward VII., c. 48.)

Bill (No. 189) Further to amend the Dominion Elections Act, 1900.—(Mr. Borden, Carleton.)

1° m., 8775 (v).

BILLS—*Con.*

Bill (No. 190) To amend the Customs Tariff, 1897.—(Mr. Fielding.)

M. for Com. on Ways and Means, 8888 ; in Com., 8983; 1°*, of B., 8997; 2°*, 9760 ; in Com., 9760 ; 3°*, 9769 (v). (5 Edward VII., c. 11.)

Bill (No. 191) Respecting the Joliette and Lake Manuan Colonization Railway Company.—(Mr. O. E. Talbot.)

1°*, 9072 ; 2°*, 9179 ; M. to place on Orders for Com., 9278 ; in Com., and 3°*, 9340 (v). (5 Edward VII., c. 111.)

Bill (No. 192) Respecting the Powers of the Harbour Commissioners of Montreal.—(Mr. Préfontaine.)

1°, 9028 ; 2°*, 9288 ; in Com., 9288 ; 3°*, 9288 (v). (5 Edward VII., c. 23.)

Bill (No. 193) To amend the Revised Statute respecting the salaries of certain public functionaries and other annual charges on the Consolidated Revenue.—(Mr. Fielding.)

Res. prop., 8693 ; in Com. on Res., 9033 ; 1°*, 2°*, 9033 ; in Com., 9033 ; 3°*, 9033 (v). (5 Edward VII., c. 20.)

Bill (No. 194) To amend the Revised Statute respecting the House of Commons, and the Dominion Elections Act, 1900. —(Mr. Borden, Carleton.)

1° m., 9073 (v).

Bill (No. 195) Respecting Roads and Road Allowances in the Provinces of Saskatchewan and Alberta.—(Mr. Oliver).

1°, 9075 ; 2°, 9525 ; in Com., 9526 ; 3°*, 9529 ; Sen. Amts., 9819 (v). (5 Edward VII., c. 38.)

Bill (No. 196) In amendment of the Criminal Code, 1892.—(Mr. Fitzpatrick.)

1°, 9075 ; 2°*, 9411 ; in Com., 9411 ; 3°, 9524 (v). (5 Edward VII., c. 9.)

Bill (No. 197) To amend the Adulteration Act.—(Mr. Bergeron.)

1°*, 9179 (v).

Bill (No. 198, from the Senate) For the relief of Agnes Hedevig Helga Salusbury Trelawney.—(Mr. Campbell.)

1°*, 9278 ; 2°*, 9587 ; in Com., and 3°*, 9760 (v). (5 Edward VII., c. 166.)

Bill (No. 199) To amend an Act respecting an Arbitration between His Majesty and the Grand Trunk Railway Company of Canada.—(Mr. Fitzpatrick.)

1°, 9279 ; 2°*, 9280 ; in Com., 9529 ; 3°*, 9529 (v). (5 Edward VII, c., 15.)

Bill (No. 200) Respecting the Inspector of Insurance and the Director General of Public Health.—(Mr. Fitzpatrick.)

1°, 9688 ; 2°*; in Com., and 3°*, 9690 (v). (5 Edward VII, c., 46.)

Bill (No. 201) Respecting the Salary of the First Minister.—(Mr. Fielding.)

Res. prop., 9700 ; in Com. on Res., 9725 ; 1°* of B., 9726 ; 2°*, 9790 ; in Com., 9790 ; 3°, 9790 (v). (5 Edward VII, c., 12.)

BILLS—*Con.*

Bill (No. 202) To amend the Act respecting the Senate and House of Commons.—(Mr. Fitzpatrick.)

Res. prop., 9701 ; in Com. on Res., 9726 ; 1°* of B., 9733 ; 2°*, 9791 ; in Com., 9791 ; 3°*, 9792 (v). (5 Edward VII, c., 43.)

Bill (No. 203) Respecting Annuities for certain Privy Councillors.—(Mr. Fielding.)

Res. prop., 9702 ; in Com. on Res., 9733 ; 1°* of B., 9739 ; 2°*, 9792 ; in Com., 9792, 9796 ; 3°*, 9797 (v). (5 Edward VII, c., 30.)

Bill (No. 204) To amend the Act respecting Judges of Provincial Courts.—(Mr. Fitzpatrick.)

Res. prop., 9702 ; in Com. on Res., 9740, 9797 ; 1°* of B., 9760 ; 2°*, 9792 ; in Com., 9792, 9798 ; 3°*, 9798 (v). (5 Edward VII, c., 31.)

Bill (No. 205) To amend the Supreme and Exchequer Courts Act.—(Mr. Fitzpatrick.)

Res. prop., 9705; in Com. on Res., 9760; 1°* of B., 9760 ; 2°*; in Com., and 3°*, 9796 (v). (5 Edward VII, c., 47.)

Bill (No. 206) For granting to His Majesty certain sums of money for the Public Service of the financial years ending respectively the 30th June, 1905, and the 30th June, 1906.—(Mr. Fielding.)

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